
SUBSTITUTE HOUSE BILL 1244

State of Washington 61st Legislature 2009 Regular Session

By House Ways & Means (originally sponsored by Representatives Linville, Alexander, and Ericks; by request of Governor Gregoire)

READ FIRST TIME 04/10/09.

1 AN ACT Relating to fiscal matters; amending RCW 2.68.020,
2 18.04.105, 18.85.061, 18.85.220, 28B.30.730, 28B.35.370, 28B.50.360,
3 28B.50.837, 28B.67.030, 28B.76.565, 28B.76.605, 28B.105.110, 38.52.106,
4 41.48.060, 41.50.110, 43.01.225, 43.03.310, 43.08.190, 43.09.260,
5 43.09.282, 43.09.475, 43.10.180, 43.19.501, 43.79.080, 43.79.201,
6 43.79.460, 43.79.480, 43.83B.360, 43.83B.430, 43.155.050, 43.215.097,
7 43.325.040, 43.330.250, 46.09.165, 46.66.080, 66.08.170, 70.93.180,
8 70.95.521, 74.08A.340, 74.13.621, 70.146.100, 77.32.010, 79.64.040,
9 79A.05.170, 79A.25.200, 79A.25.210, 79.105.150, 80.01.080, 80.36.430,
10 86.26.007, 41.45.230, and 43.09.475; amending 2009 c 4 ss 101, 110,
11 112, 118, 124, 128, 129, 135, 140, 143, 145, 148, 151, 201, 202, 203,
12 204, 205, 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 217, 219,
13 221, 222, 223, 225, 302, 303, 307, 308, 311, 402, 501, 502, 504, 505,
14 506, 603, 606, 609, 610, 613, 614, 615, 616, 801, and 802 (uncodified);
15 amending 2008 c 329 ss 151, 201, 223, 504, 505, 506, 508, 509, 510,
16 512, 701, 702, 703, 704, 705, 706, 707, and 714 (uncodified); amending
17 2007 c 522 ss 712, 802, 803, and 804 (uncodified); reenacting and
18 amending RCW 43.135.045, 70.105D.070, and 77.12.170; adding new
19 sections to 2007 c 522 (uncodified); creating new sections; making
20 appropriations; providing expiration dates; and declaring an emergency.

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

2 NEW SECTION. **Sec. 1.** (1) A budget is hereby adopted and, subject
3 to the provisions set forth in the following sections, the several
4 amounts specified in parts I through IX of this act, or so much thereof
5 as shall be sufficient to accomplish the purposes designated, are
6 hereby appropriated and authorized to be incurred for salaries, wages,
7 and other expenses of the agencies and offices of the state and for
8 other specified purposes for the fiscal biennium beginning July 1,
9 2009, and ending June 30, 2011, except as otherwise provided, out of
10 the several funds of the state hereinafter named.

11 (2) Unless the context clearly requires otherwise, the definitions
12 in this section apply throughout this act.

13 (a) "Fiscal year 2010" or "FY 2010" means the fiscal year ending
14 June 30, 2010.

15 (b) "Fiscal year 2011" or "FY 2011" means the fiscal year ending
16 June 30, 2011.

17 (c) "FTE" means full time equivalent.

18 (d) "Lapse" or "revert" means the amount shall return to an
19 unappropriated status.

20 (e) "Provided solely" means the specified amount may be spent only
21 for the specified purpose. Unless otherwise specifically authorized in
22 this act, any portion of an amount provided solely for a specified
23 purpose which is not expended subject to the specified conditions and
24 limitations to fulfill the specified purpose shall lapse.

25 **PART I**
26 **GENERAL GOVERNMENT**

27 NEW SECTION. **Sec. 101. FOR THE HOUSE OF REPRESENTATIVES**

28	General Fund--State Appropriation (FY 2010)	\$33,739,000
29	General Fund--State Appropriation (FY 2011)	\$33,573,000
30	TOTAL APPROPRIATION	\$67,312,000

31 NEW SECTION. **Sec. 102. FOR THE SENATE**

32	General Fund--State Appropriation (FY 2010)	\$25,132,000
33	General Fund--State Appropriation (FY 2011)	\$27,121,000
34	TOTAL APPROPRIATION	\$52,253,000

1 NEW SECTION. **Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
2 **COMMITTEE**

3 Performance Audits of Government--State Appropriation . . . \$5,839,000

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

6 (1) Notwithstanding the provisions in this section, the committee
7 may adjust the due dates for projects included on the committee's
8 2009-11 work plan as necessary to efficiently manage workload.

9 (2) Within the amount appropriated in this section, the joint
10 legislative audit and review committee shall conduct a review of the
11 effect of risk management practices on tort payouts. This review shall
12 include an analysis of the state's laws, policies, procedures, and
13 practices as they relate to the conduct of post-incident reviews and
14 the impact of such reviews on the state's conduct and liability.

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

24 (4) Within the amount appropriated in this section, the joint
25 legislative audit and review committee shall prepare an evaluation of
26 the implementation of legislation designed to improve communication,
27 collaboration, and expedited Medicaid attainment with regard to persons
28 released from confinement who have mental health or chemical dependency
29 disorders. The review shall evaluate the implementation of: (a)
30 Chapter 166, Laws of 2004 (E2SSB 6358); (b) sections 507 and 508 of
31 chapter 504, Laws of 2005 (E2SSB 5763); (c) sections 12 and 13 of
32 chapter 503, Laws of 2005 (E2SHB 1290); and (d) section 8 of chapter
33 359, Laws of 2007 (2SHB 1088). The departments of corrections and
34 social and health services, the administrative office of the courts,
35 institutions for mental disease, city and county jails, city and county
36 courts, county clerks, and mental health and chemical dependency
37 treatment providers shall provide the joint legislative audit and
38 review committee with information necessary for the study.

1 (5) Within the amount appropriated in this section, the joint
2 legislative audit and review committee shall conduct a study of the
3 relationship between the cost of school districts and their enrollment
4 size. The study shall be completed by June 2010 and shall include:

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

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

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

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

17 (6) Within the amount appropriated in this section, the joint
18 legislative audit and review committee shall examine the operations of
19 the growth management hearings board. The examination shall include an
20 evaluation of the board's organizational structure, regional workload,
21 and work processes, including potential opportunities through
22 technology to improve efficiency and decrease travel expenses. The
23 committee shall report its findings and recommendations by December
24 2009.

25 (7) Within the amount appropriated in this section, the joint
26 legislative audit and review committee shall examine the operations of
27 employment and day services as provided by the department of social and
28 health services, division of developmental disabilities and
29 administered by the counties. The examination shall include a thorough
30 review of the contracts for all services including, but not limited to,
31 employment services, day services, child development services and other
32 uses of state dollars for county administration of services to the
33 developmentally disabled. In its final report, due to the legislature
34 by September 1, 2010, the joint legislative audit and review committee
35 shall provide: A description of how funds are used and the rates paid
36 to vendors, and a recommendation on best practices the agency may use
37 for the development of a consistent, outcome-based contract for
38 services provided under contract with the counties.

1 NEW SECTION. **Sec. 104. FOR THE LEGISLATIVE EVALUATION AND**
2 **ACCOUNTABILITY PROGRAM COMMITTEE**

3	General Fund--State Appropriation (FY 2010)	\$1,746,000
4	General Fund--State Appropriation (FY 2011)	\$1,909,000
5	TOTAL APPROPRIATION	\$3,655,000

6 NEW SECTION. **Sec. 105. FOR THE OFFICE OF THE STATE ACTUARY**

7	General Fund--State Appropriation (FY 2010)	\$25,000
8	General Fund--State Appropriation (FY 2011)	\$25,000
9	Department of Retirement Systems Expense Account--	
10	State Appropriation	\$3,696,000
11	TOTAL APPROPRIATION	\$3,746,000

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

14 (1) During the 2009-11 fiscal biennium, the select committee on
15 pension policy shall convene the public safety subcommittee created in
16 RCW 41.04.278(1)(a) to study issues related to the Washington state
17 patrol retirement system. The public safety subcommittee shall invite
18 participation in the subcommittee activities by representatives of the
19 Washington state patrol troopers and retired troopers, and a designee
20 of the chief of the Washington state patrol to represent the interests
21 of the Washington state patrol as an employer. The select committee on
22 pension policy shall include a summary of the activities of the public
23 safety subcommittee, including any recommendations made to the full
24 select committee, in each of the annual interim issues reports
25 published during the 2009-2011 biennium.

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.

1 NEW SECTION. **Sec. 106. FOR THE JOINT LEGISLATIVE SYSTEMS**
2 **COMMITTEE**

3	General Fund--State Appropriation (FY 2010)	\$8,699,000
4	General Fund--State Appropriation (FY 2011)	\$8,566,000
5	TOTAL APPROPRIATION	\$17,265,000

6 NEW SECTION. **Sec. 107. FOR THE STATUTE LAW COMMITTEE**

7	General Fund--State Appropriation (FY 2010)	\$4,655,000
8	General Fund--State Appropriation (FY 2011)	\$5,029,000
9	TOTAL APPROPRIATION	\$9,684,000

10 NEW SECTION. **Sec. 108. FOR THE REDISTRICTING COMMISSION**

11	General Fund--State Appropriation (FY 2011)	\$610,000
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12 NEW SECTION. **Sec. 109. LEGISLATIVE AGENCIES.** In order to achieve
13 operating efficiencies within the financial resources available to the
14 legislative branch, the executive rules committee of the house of
15 representatives and the facilities and operations committee of the
16 senate by joint action may transfer funds among the house of
17 representatives, senate, joint legislative audit and review committee,
18 legislative evaluation and accountability program committee,
19 legislative transportation committee, office of the state actuary,
20 joint legislative systems committee, statute law committee, and the
21 redistricting commission.

22 NEW SECTION. **Sec. 110. FOR THE SUPREME COURT**

23	General Fund--State Appropriation (FY 2010)	\$6,884,000
24	General Fund--State Appropriation (FY 2011)	\$6,901,000
25	TOTAL APPROPRIATION	\$13,785,000

26 NEW SECTION. **Sec. 111. FOR THE LAW LIBRARY**

27	Judicial Stabilization Trust Account--State	
28	Appropriation	\$4,186,000

29 NEW SECTION. **Sec. 112. FOR THE COURT OF APPEALS**

30	General Fund--State Appropriation (FY 2010)	\$15,375,000
31	General Fund--State Appropriation (FY 2011)	\$15,428,000
32	Judicial Stabilization Trust Account--State	

1 Appropriation \$709,000
2 TOTAL APPROPRIATION \$31,512,000

3 NEW SECTION. **Sec. 113. FOR THE COMMISSION ON JUDICIAL CONDUCT**

4 General Fund--State Appropriation (FY 2010) \$1,031,000
5 General Fund--State Appropriation (FY 2011) \$1,075,000
6 TOTAL APPROPRIATION \$2,106,000

7 NEW SECTION. **Sec. 114. FOR THE ADMINISTRATOR FOR THE COURTS**

8 General Fund--State Appropriation (FY 2010) \$50,693,000
9 General Fund--State Appropriation (FY 2011) \$50,475,000
10 Judicial Information Systems Account--State
11 Appropriation \$30,710,000
12 Judicial Stabilization Trust Account--State
13 Appropriation \$11,098,000
14 TOTAL APPROPRIATION \$142,976,000

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

17 (1) The distributions made under this subsection and distributions
18 from the county criminal justice assistance account made pursuant to
19 section 801 of this act constitute appropriate reimbursement for costs
20 for any new programs or increased level of service for purposes of RCW
21 43.135.060.

22 (2) \$106,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$106,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for the twenty-third superior
25 court judge position in Pierce county. The funds appropriated in this
26 subsection shall be expended only if the judge is appointed and serving
27 on the bench.

28 (3) \$6,700,000 of the judicial information systems account--state
29 appropriation is provided solely for modernization and integration of
30 the judicial information system.

31 (a) Of this amount, \$1,700,000 is for the development of a
32 comprehensive enterprise-level information technology strategy and
33 detailed business and operational plans in support of that strategy,
34 and \$5,000,000 is to continue to modernize and integrate current
35 systems and enhance case management functionality on an incremental
36 basis.

1 (b) The amount provided in this subsection may not be expended
2 without prior approval by the judicial information system committee and
3 the information services board. The administrator shall regularly
4 submit project plan updates for approval to the judicial information
5 system committee and the information services board. In approving the
6 project updates, the judicial information system committee shall
7 consult with and accept advice from the department of information
8 services regarding consistency with the state's architecture and
9 infrastructure, consistency with a statewide enterprise view of service
10 delivery, and the ability of the agency or state to support the system
11 in the future.

12 (c) The judicial information system committee and the information
13 services board shall review project progress on a regular basis and may
14 require quality assurance plans. The judicial information systems
15 committee and the information services board shall provide a report to
16 the appropriate committees of the legislature no later than November 1,
17 2011, on the status of the judicial information system modernization
18 and integration, and the consistency of the project with the state's
19 architecture, infrastructure and statewide enterprise view of service
20 delivery.

21 (4) \$3,000,000 of the judicial information systems account--state
22 appropriation is provided solely for replacing computer equipment at
23 state courts, and at state judicial agencies. The administrator for
24 the courts shall prioritize equipment replacement purchasing and shall
25 fund those items that are most essential or critical. By October 1,
26 2010, the administrative office of the courts shall report to the
27 appropriate legislative fiscal committees on expenditures for equipment
28 under this subsection.

29 (5) \$12,000 of the judicial information systems account--state
30 appropriation is provided solely to implement Engrossed Substitute
31 House Bill No. 1954 (sealing juvenile records). If the bill is not
32 enacted by June 30, 2009, the amount provided in this subsection shall
33 lapse.

34 **NEW SECTION. Sec. 115. FOR THE OFFICE OF PUBLIC DEFENSE**

35	General Fund--State Appropriation (FY 2010)	\$23,469,000
36	General Fund--State Appropriation (FY 2011)	\$23,399,000
37	Judicial Stabilization Trust Account--State	

1	Appropriation	\$4,297,000
2	TOTAL APPROPRIATION	\$51,165,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: The amounts provided include funding for
5 expert and investigative services in death penalty personal restraint
6 petitions.

7 **NEW SECTION. Sec. 116. FOR THE OFFICE OF CIVIL LEGAL AID**

8	General Fund--State Appropriation (FY 2010)	\$10,405,000
9	General Fund--State Appropriation (FY 2011)	\$10,623,000
10	Judicial Information Systems Account--State	
11	Appropriation	\$1,225,000
12	Judicial Stabilization Trust Account--State	
13	Appropriation	\$1,706,000
14	TOTAL APPROPRIATION	\$23,959,000

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

23 **NEW SECTION. Sec. 117. FOR THE OFFICE OF THE GOVERNOR**

24	General Fund--State Appropriation (FY 2010)	\$5,955,000
25	General Fund--State Appropriation (FY 2011)	\$5,931,000
26	TOTAL APPROPRIATION	\$11,886,000

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$108,000 of the general fund--state
29 appropriation for fiscal year 2010 and \$103,000 of the general fund--
30 state appropriation for fiscal year 2011 are provided solely for
31 implementation of Second Substitute House Bill No. 1762 (public
32 education involvement). If the bill is not enacted by June 30, 2009,
33 the amounts provided in this subsection shall lapse.

1 NEW SECTION. **Sec. 118. FOR THE LIEUTENANT GOVERNOR**

2	General Fund--State Appropriation (FY 2010)	\$712,000
3	General Fund--State Appropriation (FY 2011)	\$729,000
4	General Fund--Private/Local Appropriation	\$90,000
5	TOTAL APPROPRIATION	\$1,531,000

6 NEW SECTION. **Sec. 119. FOR THE PUBLIC DISCLOSURE COMMISSION**

7	General Fund--State Appropriation (FY 2010)	\$2,108,000
8	General Fund--State Appropriation (FY 2011)	\$2,114,000
9	TOTAL APPROPRIATION	\$4,222,000

10 NEW SECTION. **Sec. 120. FOR THE SECRETARY OF STATE**

11	General Fund--State Appropriation (FY 2010)	\$18,033,000
12	General Fund--State Appropriation (FY 2011)	\$14,923,000
13	General Fund--Federal Appropriation	\$8,158,000
14	Archives and Records Management Account--State	
15	Appropriation	\$8,742,000
16	Department of Personnel Service Account--State	
17	Appropriation	\$765,000
18	Local Government Archives Account--State	
19	Appropriation	\$11,017,000
20	Election Account--Federal Appropriation	\$29,730,000
21	TOTAL APPROPRIATION	\$91,368,000

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

24 (1) In implementing budget reductions, the office of the secretary
25 of state must make its first priority to maintain funding for the
26 elections division.

27 (2) \$4,101,000 of the general fund--state appropriation for fiscal
28 year 2010 is provided solely to reimburse counties for the state's
29 share of primary and general election costs and the costs of conducting
30 mandatory recounts on state measures. Counties shall be reimbursed
31 only for those odd-year election costs that the secretary of state
32 validates as eligible for reimbursement.

33 (3)(a) \$1,932,000 of the general fund--state appropriation for
34 fiscal year 2010 and \$2,095,000 of the general fund--state
35 appropriation for fiscal year 2011 are provided solely for contracting
36 with a nonprofit organization to produce gavel-to-gavel television

1 coverage of state government deliberations and other events of
2 statewide significance during the 2009-11 biennium. The funding level
3 for each year of the contract shall be based on the amount provided in
4 this subsection. The nonprofit organization shall be required to raise
5 contributions or commitments to make contributions, in cash or in kind,
6 in an amount equal to forty percent of the state contribution. The
7 office of the secretary of state may make full or partial payment once
8 all criteria in this subsection have been satisfactorily documented.

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

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

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

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

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

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

29 (4) \$125,000 of the general fund--state appropriation for fiscal
30 year 2010 is provided solely for implementation of Substitute House
31 Bill No. 1067 (limited partnership act). If the bill is not enacted by
32 June 30, 2009, the amount provided in this subsection shall lapse.

33 NEW SECTION. **Sec. 121. FOR THE GOVERNOR'S OFFICE OF INDIAN**
34 **AFFAIRS**

35	General Fund--State Appropriation (FY 2010)	\$270,000
36	General Fund--State Appropriation (FY 2011)	\$279,000
37	TOTAL APPROPRIATION	\$549,000

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

11 NEW SECTION. **Sec. 122. FOR THE COMMISSION ON ASIAN PACIFIC**
 12 **AMERICAN AFFAIRS**

13	General Fund--State Appropriation (FY 2010)	\$239,000
14	General Fund--State Appropriation (FY 2011)	\$227,000
15	TOTAL APPROPRIATION	\$466,000

16 NEW SECTION. **Sec. 123. FOR THE STATE TREASURER**

17	State Treasurer's Service Account--State	
18	Appropriation	\$15,812,000

19 The appropriations in this section are subject to the following
 20 conditions and limitations: After completion of the financial
 21 statement for a fiscal year, the treasurer is authorized to make
 22 transfers between the budget stabilization account and the general fund
 23 so that deposits to the budget stabilization account reflect actual
 24 general state revenues.

25 NEW SECTION. **Sec. 124. FOR THE STATE AUDITOR**

26	General Fund--State Appropriation (FY 2010)	\$25,000
27	General Fund--State Appropriation (FY 2011)	\$25,000
28	Performance Audits of Government--State Appropriation	\$12,874,000
29	State Auditing Services Revolving Account--State	
30	Appropriation	\$12,170,000
31	TOTAL APPROPRIATION	\$25,094,000

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

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

6 (2) \$1,489,000 of the performance audits of government--state
7 appropriation is provided solely for staff and related costs to verify
8 the accuracy of reported school district data submitted for state
9 funding purposes; conduct school district program audits of state
10 funded public school programs; establish the specific amount of state
11 funding adjustments whenever audit exceptions occur and the amount is
12 not firmly established in the course of regular public school audits;
13 and to assist the state special education safety net committee when
14 requested.

15 (3) \$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 provided solely for the department to develop and
18 maintain a list of Washington organizations meeting the criteria of the
19 Baldrige national quality program's seven elements. State agencies
20 shall be included in this list.

21 NEW SECTION. **Sec. 125. FOR THE CITIZENS' COMMISSION ON SALARIES**
22 **FOR ELECTED OFFICIALS**

23	General Fund--State Appropriation (FY 2010)	\$171,000
24	General Fund--State Appropriation (FY 2011)	\$212,000
25	TOTAL APPROPRIATION	\$383,000

26 NEW SECTION. **Sec. 126. FOR THE ATTORNEY GENERAL**

27	General Fund--State Appropriation (FY 2010)	\$4,539,000
28	General Fund--State Appropriation (FY 2011)	\$4,863,000
29	General Fund--Federal Appropriation	\$4,026,000
30	New Motor Vehicle Arbitration Account--State	
31	Appropriation	\$1,356,000
32	Legal Services Revolving Account--State	
33	Appropriation	\$224,930,000
34	Tobacco Prevention and Control Account--State	
35	Appropriation	\$270,000
36	TOTAL APPROPRIATION	\$239,984,000

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

3 (1) The attorney general shall report each fiscal year on actual
4 legal services expenditures and actual attorney staffing levels for
5 each agency receiving legal services. The report shall be submitted to
6 the office of financial management and the fiscal committees of the
7 senate and house of representatives no later than ninety days after the
8 end of each fiscal year.

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

14 (3) The office of the attorney general shall include the \$2,400,000
15 from the Zyprexa cy pres award towards consumer protection costs in
16 accordance with uses authorized in the court order.

17 (4) The office of the attorney general shall expend all moneys from
18 the Zyprexa cy pres award, and other cy pres awards within one year or
19 receipt of funds on uses in accordance with each award's court order.

20 (5) The office shall disclose through an annual report to the
21 legislature all new cy pres awards and all new accounts, disclosing
22 their intended uses, balances, the nature of the claim or account,
23 proposals, and intended timeframes for the expenditure of each amount.
24 The report is to be distributed electronically and posted on the office
25 of the attorney general's web site. The report is not to be printed on
26 paper or distributed physically.

27 (6) \$22,000 of the general fund--state appropriation for fiscal
28 year 2011 is provided solely for implementation of Second Substitute
29 House Bill No. 1180 (bisphenol A use). If the bill is not enacted by
30 June 30, 2009, the amount provided in this subsection shall lapse.

31 NEW SECTION. **Sec. 127. FOR THE CASELOAD FORECAST COUNCIL**

32	General Fund--State Appropriation (FY 2010)	\$738,000
33	General Fund--State Appropriation (FY 2011)	\$735,000
34	TOTAL APPROPRIATION	\$1,473,000

35 NEW SECTION. **Sec. 128. FOR THE DEPARTMENT OF COMMUNITY, TRADE,**

1	AND ECONOMIC DEVELOPMENT	
2	General Fund--State Appropriation (FY 2010)	\$47,582,000
3	General Fund--State Appropriation (FY 2011)	\$48,606,000
4	General Fund--Federal Appropriation	\$336,896,000
5	General Fund--Private/Local Appropriation	\$14,714,000
6	Public Works Assistance Account--State	
7	Appropriation	\$3,028,000
8	Tourism Promotion and Development Account--State	
9	Appropriation	\$1,002,000
10	Drinking Water Assistance Administrative Account--	
11	State Appropriation	\$439,000
12	Lead Paint Account--State Appropriation	\$18,000
13	Building Code Council Account--State Appropriation	\$1,193,000
14	Low-Income Weatherization Assistance Account--State	
15	Appropriation	\$8,389,000
16	Community and Economic Development Fee Account--State	
17	Appropriation	\$1,849,000
18	Washington Housing Trust Account--State	
19	Appropriation	\$28,396,000
20	Public Facility Construction Loan Revolving	
21	Account--State Appropriation	\$760,000
22	Affordable Housing Account--State Appropriation	\$11,900,000
23	Home Security Fund Account--State Appropriation	\$30,526,000
24	Independent Youth Housing Account--State Appropriation	\$83,000
25	Administrative Contingency Account--State	
26	Appropriation	\$2,000
27	Manufactured Housing Account--State Appropriation	\$1,000
28	Manufacturing Innovation and Modernization Account--	
29	State Appropriation	\$246,000
30	Financial Fraud and Identity Theft Crimes Investigation	
31	and Prosecution Account--State Appropriation	\$678,000
32	Washington Auto Theft Prevention Authority Account--State	
33	Appropriation	\$300,000
34	Community Preservation and Development Authority	
35	Account--State Appropriation	\$500,000
36	TOTAL APPROPRIATION	\$537,108,000

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

1 (1) \$2,270,500 of the general fund--state appropriation for fiscal
2 year 2010 and \$2,750,500 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for a contract with the Washington
4 technology center for work essential to the mission of the Washington
5 technology center and conducted in partnership with universities. The
6 center shall not pay any increased indirect rate nor increases in other
7 indirect charges above the absolute amount paid during the 1995-97
8 fiscal biennium.

9 (2) \$787,500 of the general fund--state appropriation for fiscal
10 year 2010, \$787,500 of the general fund--state appropriation for fiscal
11 year 2011, and \$1,575,000 of the general fund--federal appropriation
12 are provided solely for multijurisdictional drug task forces. The
13 general fund--federal funding represents moneys from the American
14 recovery and reinvestment act of 2009 (Byrne/JAG funds).

15 (3) \$1,658,000 of the general fund--federal appropriation is
16 provided solely for the drug task force program. The general fund--
17 federal funding represents moneys from the American recovery and
18 reinvestment act of 2009 (Byrne/JAG funds).

19 (4) Additional general fund--federal funds representing moneys from
20 the American recovery and reinvestment act of 2009 (Byrne/JAG funds)
21 are appropriated in the department of corrections and in the department
22 of social and health services.

23 (5) \$150,000 of the general fund--state appropriation for fiscal
24 year 2010, \$150,000 of the general fund--state appropriation for fiscal
25 year 2011, and \$2,700,000 of the general fund--federal appropriation
26 are provided solely for the community services block grant program. Of
27 the amounts provided in this subsection, the general fund--state
28 appropriation is provided solely for administration and the general
29 fund--federal appropriation is provided solely for programs.

30 (6) \$500,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$500,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely to resolution Washington to build
33 statewide capacity for alternative dispute resolution centers and
34 dispute resolution programs that guarantee that all citizens have
35 access to a low-cost resolution process as an alternative to
36 litigation.

37 (7) \$712,000 of general fund--state appropriation for fiscal year
38 2010 and \$712,000 of the general fund--state appropriation for fiscal

1 year 2011 are provided solely to the office of crime victims advocacy.
2 These funds shall be contracted with the 39 county prosecuting
3 attorneys' offices to support victim-witness services. The funds must
4 be prioritized to ensure a full-time victim-witness coordinator in each
5 county. The office may retain only the amount currently allocated for
6 this activity for administrative costs.

7 (8) \$7,000,000 of the home security fund account--state
8 appropriation and \$1,500,000 of the Washington housing trust account--
9 state appropriation are provided solely for the transitional housing
10 operating and rent program.

11 (9) \$306,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$306,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for a grant to the retired senior
14 volunteer program.

15 (10) \$65,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$65,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for a contract with a food
18 distribution program for communities in the southwestern portion of the
19 state and for workers impacted by timber and salmon fishing closures
20 and reductions. The department may not charge administrative overhead
21 or expenses to the funds provided in this subsection.

22 (11) \$371,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$371,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely to the northwest agriculture
25 business center.

26 (12) The department shall administer its growth management act
27 technical assistance so that smaller cities receive proportionately
28 more assistance than larger cities or counties. Pass-through grants
29 shall continue to be funded under 2007-09 policy.

30 (13) Repayments of outstanding loans granted under RCW 43.63A.600,
31 the mortgage and rental assistance program, shall be remitted to the
32 department, including any current revolving account balances. The
33 department shall collect payments on outstanding loans, and deposit
34 them into the state general fund. Repayments of funds owed under the
35 program shall be remitted to the department according to the terms
36 included in the original loan agreements.

37 (14) The department shall allot all its appropriations that are
38 subject to allotment by object, account, and expenditure authority code

1 to conform with the office of financial management's definition of an
2 "option 2" allotment. For those funds subject to allotment but not
3 appropriation, the agency shall submit "option 2" allotments to the
4 office of financial management.

5 (15) \$110,000 of the general fund--federal appropriation for fiscal
6 year 2010 and \$102,000 of the general fund--federal appropriation for
7 fiscal year 2011 are provided solely for implementation of Second
8 Substitute House Bill No. 1172 (development rights transfer). If the
9 bill is not enacted by June 30, 2009, the amounts provided in this
10 subsection shall lapse.

11 (16) \$80,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$20,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for implementation of Engrossed
14 Second Substitute House Bill No. 1747 (built environment pollution).
15 If the bill is not enacted by June 30, 2009, the amounts provided in
16 this subsection shall lapse.

17 (17) \$24,000 of the general fund--state appropriation for fiscal
18 year 2010 is provided solely for implementation of Second Substitute
19 House Bill No. 1797 (rural and resource lands study). If the bill is
20 not enacted by June 30, 2009, the amount provided in this subsection
21 shall lapse.

22 (18) \$69,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$66,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for implementation of Engrossed
25 Second Substitute House Bill No. 2227 (evergreen jobs act). If the
26 bill is not enacted by June 30, 2009, the amounts provided in this
27 subsection shall lapse.

28 (19) \$500,000 of the community development and preservation
29 authority account--state appropriation is provided solely for a grant
30 to a community development authority established under chapter 43.167
31 RCW. The community preservation and development's board of directors
32 may contract with nonprofit community organizations to aid in
33 mitigating the effects of increased public impact on urban
34 neighborhoods due to events in stadia that have a capacity of over
35 50,000 spectators.

36 (20) \$1,800,000 of the home security fund--state appropriation is
37 provided for transitional housing assistance under the offender reentry

1 program or for transitional housing or partial payments for rental
2 assistance under the independent youth housing program.

3 (21) \$5,000,000 of the home security fund--state appropriation is
4 provided solely for the operation, repair, and staffing of shelters in
5 the homeless family shelter program.

6 NEW SECTION. **Sec. 129. FOR THE ECONOMIC AND REVENUE FORECAST**
7 **COUNCIL**

8	General Fund--State Appropriation (FY 2010)	\$766,000
9	General Fund--State Appropriation (FY 2011)	\$720,000
10	TOTAL APPROPRIATION	\$1,486,000

11 The appropriations in this section are subject to the following
12 conditions and limitations: The economic and revenue forecast council,
13 in its quarterly revenue forecasts, shall forecast the total revenue
14 for the state general fund and near general fund, as those funds are
15 determined by the legislative evaluation and accountability program
16 committee.

17 NEW SECTION. **Sec. 130. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

18	General Fund--State Appropriation (FY 2010)	\$18,848,000
19	General Fund--State Appropriation (FY 2011)	\$18,105,000
20	General Fund--Federal Appropriation	\$23,610,000
21	General Fund--Private/Local Appropriation	\$1,272,000
22	State Auditing Services Revolving Account--State	
23	Appropriation	\$25,000
24	Economic Development Strategic Reserve Account--	
25	State Appropriation	\$280,000
26	Performance Audits of Government--State	
27	Appropriation	\$4,700,000
28	TOTAL APPROPRIATION	\$66,840,000

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

31 (1) \$26,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$27,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for implementation of Second
34 Substitute House Bill No. 1095 (small business contracting). If the
35 bill is not enacted by June 30, 2009, the amounts provided in this
36 subsection shall lapse.

1 (2) \$4,700,000 of the performance audit account appropriation is
 2 provided solely for the continuation of the GMAP program, including the
 3 development and maintenance of a list of qualified Washington state
 4 organizations similar to WSQA that are permitted to substitute for a
 5 WSQA assessment of an organization for the purposes of RCW 43.17.390.
 6 Qualified assessments must quantifiably examine an organization for
 7 leadership, strategic planning, customer focus, measurement, analysis
 8 and knowledge management, workforce focus, process management, and
 9 results. Similar organizations are defined as organizations composed
 10 of examiners qualified to perform full Baldrige Assessments and who are
 11 qualified in all other ways to perform Baldrige Assessments. All
 12 agencies shall provide electronic copies of WSQA applications, feedback
 13 reports, and corrective action plans. Copies shall be posted on the
 14 GMAP web site, and provided electronically to the state auditor as well
 15 as JLARC and other appropriate committees of the legislature.

16 (3) \$200,000 of the general fund--state appropriation for fiscal
 17 year 2010 and \$200,000 of the general fund--state appropriation for
 18 fiscal year 2011 are for implementation of Engrossed Substitute House
 19 Bill No. 1131 (economic development commission).

20 (4) \$25,000 of the general fund--state appropriation for fiscal
 21 year 2010 and \$24,000 of the general fund--state appropriation for
 22 fiscal year 2011 are provided solely for implementation of Engrossed
 23 Second Substitute House Bill No. 1747 (built environment pollution).
 24 If the bill is not enacted by June 30, 2009, the amounts provided in
 25 this subsection shall lapse.

26 NEW SECTION. **Sec. 131. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**
 27 Administrative Hearings Revolving Account--State
 28 Appropriation \$33,908,000

29 NEW SECTION. **Sec. 132. FOR THE DEPARTMENT OF PERSONNEL**
 30 Department of Personnel Service Account--State
 31 Appropriation \$24,247,000
 32 Higher Education Personnel Services Account--State
 33 Appropriation \$1,781,000
 34 TOTAL APPROPRIATION \$26,028,000

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

1 governor's office of Indian affairs on providing the government-to-
2 government training sessions for federal, state, local, and tribal
3 government employees. The training sessions shall cover tribal
4 historical perspectives, legal issues, tribal sovereignty, and tribal
5 governments. Costs of the training sessions shall be recouped through
6 a fee charged to the participants of each session. The department
7 shall be responsible for all of the administrative aspects of the
8 training, including the billing and collection of the fees for the
9 training.

10 NEW SECTION. **Sec. 133. FOR THE WASHINGTON STATE LOTTERY**

11 Lottery Administrative Account--State

12 Appropriation \$28,059,000

13 NEW SECTION. **Sec. 134. FOR THE COMMISSION ON HISPANIC AFFAIRS**

14 General Fund--State Appropriation (FY 2010) \$255,000

15 General Fund--State Appropriation (FY 2011) \$262,000

16 TOTAL APPROPRIATION \$517,000

17 NEW SECTION. **Sec. 135. FOR THE COMMISSION ON AFRICAN-AMERICAN**
18 **AFFAIRS**

19 General Fund--State Appropriation (FY 2010) \$245,000

20 General Fund--State Appropriation (FY 2011) \$246,000

21 TOTAL APPROPRIATION \$491,000

22 NEW SECTION. **Sec. 136. FOR THE DEPARTMENT OF RETIREMENT**
23 **SYSTEMS--OPERATIONS**

24 Department of Retirement Systems Expense Account--

25 State Appropriation \$49,867,000

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

28 (1) \$45,000 of the department of retirement systems expense
29 account--state appropriation is provided solely to implement Substitute
30 House Bill No. 1445 (Washington state patrol retirement system domestic
31 partners). If the bill is not enacted by June 30, 2009, the amount
32 provided in this subsection shall lapse.

33 (2) \$56,000 of the department of retirement systems expense
34 account--state appropriation is provided solely to implement House Bill

1 No. 1548 (military service credit purchases). If the bill is not
2 enacted by June 30, 2009, the amount provided in this subsection shall
3 lapse.

4 (3) \$45,000 of the department of retirement systems expense
5 account--state appropriation is provided solely to implement Engrossed
6 House Bill No. 1616 (law enforcement officers' and firefighters'
7 retirement system plan 2 domestic partners). If the bill is not
8 enacted by June 30, 2009, the amount provided in this subsection shall
9 lapse.

10 (4) \$12,000 of the department of retirement systems expense
11 account--state appropriation is provided solely to implement House Bill
12 No. 1678 (law enforcement officers' and firefighters' retirement system
13 plan 2 minimum disability benefits). If the bill is not enacted by
14 June 30, 2009, the amount provided in this subsection shall lapse.

15 (5) \$27,000 of the department of retirement systems expense
16 account--state appropriation is provided solely to implement House Bill
17 No. 1722 (public employees' retirement system plan default provisions).
18 If the bill is not enacted by June 30, 2009, the amount provided in
19 this subsection shall lapse.

20 (6) \$35,000 of the department of retirement systems expense
21 account--state appropriation is provided solely to implement Substitute
22 House Bill No. 1953 (department of fish and wildlife enforcement
23 officers' past service credit). If the bill is not enacted by June 30,
24 2009, the amount provided in this subsection shall lapse.

25 NEW SECTION. **Sec. 137. FOR THE DEPARTMENT OF REVENUE**

26	General Fund--State Appropriation (FY 2010)	\$107,077,000
27	General Fund--State Appropriation (FY 2011)	\$107,428,000
28	Timber Tax Distribution Account--State	
29	Appropriation	\$5,969,000
30	Waste Reduction/Recycling/Litter Control--State	
31	Appropriation	\$131,000
32	Waste Tire Removal Account--State Appropriation	\$2,000
33	Real Estate Excise Tax Grant Account--State	
34	Appropriation	\$1,050,000
35	State Toxics Control Account--State Appropriation	\$89,000
36	Oil Spill Prevention Account--State Appropriation	\$18,000
37	TOTAL APPROPRIATION	\$221,764,000

1	General Fund--State Appropriation (FY 2011)	\$1,015,000
2	General Fund--Federal Appropriation	\$1,589,000
3	Data Processing Revolving Account--State	
4	Appropriation	\$7,905,000
5	TOTAL APPROPRIATION	\$11,538,000

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

8 (1) \$26,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$13,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for implementation of Second
11 Substitute House Bill No. 1095 (small business contracting). If the
12 bill is not enacted by June 30, 2009, the amounts provided in this
13 subsection shall lapse.

14 (2) \$222,000 of the data processing revolving account--state
15 appropriation is provided solely for implementation of Engrossed Second
16 Substitute House Bill No. 1701 (dept. of information systems). If the
17 bill is not enacted by June 30, 2009, the amount provided in this
18 subsection shall lapse.

19 (3) \$529,000 of the general fund--federal appropriation for fiscal
20 year 2010 and \$358,000 of the general fund--federal appropriation for
21 fiscal year 2011 are provided solely for implementation of Engrossed
22 Second Substitute House Bill No. 1701 (dept. of information systems).
23 If the bill is not enacted by June 30, 2009, the amounts provided in
24 this subsection shall lapse.

25 NEW SECTION. **Sec. 144. FOR THE INSURANCE COMMISSIONER**

26	General Fund--Federal Appropriation	\$1,952,000
27	Insurance Commissioners Regulatory Account--State	
28	Appropriation	\$47,163,000
29	TOTAL APPROPRIATION	\$49,115,000

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

32 (1) \$150,000 of the insurance commissioner's regulatory account--
33 state appropriation for fiscal year 2010 is provided solely for the
34 insurance commissioner to prepare and submit a report to the
35 legislature related to the performance of the small group health plan
36 market and the association health plan market. To the extent that the
37 data needed to complete the report are not readily available, the

1 commissioner may require carriers to submit aggregated data for the
2 small group health plans and association health plans underwritten or
3 administered by the carrier, for each calendar year 2000 through 2008.
4 Data submitted need not identify specific small group plans or
5 association health plans, and the report shall not identify specific
6 small group or association health plans or present data in a manner
7 that allows identification of specific plans. The data must be
8 reported separately for the carrier's small group health plan block of
9 business and association health plan block of business, and must
10 include the following information:

11 (a) The number of persons residing in Washington state who receive
12 health benefit coverage through each block of business, including the
13 number of persons enrolled in the plans on the first day and last day
14 of each year, the number of persons enrolled in the plans during each
15 year, and the number of persons who terminated enrollment in the plans
16 during each year. Carriers who underwrite or administer an association
17 health plan that covers fewer than ten thousand lives in any year
18 reported may, at their own expense, contract with a third party to
19 aggregate and report the information required under this section with
20 that of other carriers who qualify for this option;

21 (b) The calendar year-end enrollment of each block of business, by
22 age group using five-year increments beginning with age twenty and
23 ending with age sixty-five, and the average age of persons covered in
24 each block of business;

25 (c) The calendar year-end enrollment of each block of business by
26 employer size for each year, reporting by groups of two to five, six to
27 ten, eleven to twenty-five, twenty-six to fifty, fifty-one to one
28 hundred, and more than one hundred;

29 (d) The annual calendar year earned premium and incurred claims for
30 each block of business; and

31 (e) For the association health plan block of business, the number
32 of association health plans that limit eligibility for health plan
33 coverage to employer groups of a minimum size, or that limit
34 eligibility for health plan coverage to a subset of the industries that
35 the association sponsoring the health plan was established to serve,
36 and the percentage of health plan enrollees for whom each of the
37 following elements is used in setting health plan rates:

38 (i) Claims experience;

1 (ii) Employer group size; or
 2 (iii) Health status factors;
 3 (2) In fulfilling the requirements of subsection (1) of this
 4 section the commissioner shall adopt rules necessary to implement the
 5 data submission administrative process under subsection (1) of this
 6 section, including the format, timing of data reporting, data
 7 standards, instructions, definitions and data sources.
 8 (3) For the purposes of subsection (1) of this section, the terms
 9 "association health plan" and "association plan" shall include all
 10 member-governed group health plans and multiple employer welfare
 11 arrangements.
 12 (4) Data, information, and documents provided by a carrier pursuant
 13 to subsection (1) of this section are exempt from public inspection and
 14 copying under RCW 48.02.120 and chapters 42.17 and 42.56 RCW.
 15 (5) The report required under subsection (1) of this section shall
 16 be submitted to the legislature no later than July 1, 2010.

17 NEW SECTION. **Sec. 145. FOR THE BOARD OF ACCOUNTANCY**
 18 Certified Public Accountants' Account--State
 19 Appropriation \$3,045,000

20 NEW SECTION. **Sec. 146. FOR THE FORENSIC INVESTIGATION COUNCIL**
 21 Death Investigations Account--State Appropriation \$280,000

22 The appropriation in this section is subject to the following
 23 conditions and limitations: \$250,000 of the death investigation
 24 account appropriation is provided solely for providing financial
 25 assistance to local jurisdictions in multiple death investigations.
 26 The forensic investigation council shall develop criteria for awarding
 27 these funds for multiple death investigations involving an
 28 unanticipated, extraordinary, and catastrophic event or those involving
 29 multiple jurisdictions.

30 NEW SECTION. **Sec. 147. FOR THE HORSE RACING COMMISSION**
 31 Horse Racing Commission Operating Account--State
 32 Appropriation \$5,137,000

33 NEW SECTION. **Sec. 148. FOR THE LIQUOR CONTROL BOARD**
 34 Liquor Control Board Construction and Maintenance

1	Account--State Appropriation	\$8,817,000
2	Liquor Revolving Account--State Appropriation	\$202,270,000
3	TOTAL APPROPRIATION	\$211,087,000

4 The appropriations in this section are subject to the following
5 conditions and limitations: \$173,000 is provided solely to implement
6 House Bill No. 2040 (beer and wine regulation commission). If the bill
7 is not enacted by June 30, 2009, the amount provided in this subsection
8 shall lapse.

9 **NEW SECTION. Sec. 149. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**
10 Volunteer Firefighters' and Reserve Officers'

11	Administrative Account--State Appropriation	\$1,062,000
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12 **NEW SECTION. Sec. 150. FOR THE UTILITIES AND TRANSPORTATION**
13 **COMMISSION**

14	Public Service Revolving Account--State	
15	Appropriation	\$31,678,000
16	Pipeline Safety Account--State Appropriation	\$3,221,000
17	Pipeline Safety Account--Federal Appropriation	\$1,554,000
18	TOTAL APPROPRIATION	\$36,453,000

19 **NEW SECTION. Sec. 151. FOR THE MILITARY DEPARTMENT**

20	General Fund--State Appropriation (FY 2010)	\$10,382,000
21	General Fund--State Appropriation (FY 2011)	\$10,396,000
22	General Fund--Federal Appropriation	\$149,422,000
23	Enhanced 911 Account--State Appropriation	\$39,624,000
24	Disaster Response Account--State Appropriation	\$28,243,000
25	Disaster Response Account--Federal Appropriation	\$91,263,000
26	Military Department Rent and Lease Account--State	
27	Appropriation	\$615,000
28	Military Department Active State Service Account--	
29	Federal Appropriation	\$200,000
30	Worker and Community Right-to-Know Account--State	
31	Appropriation	\$347,000
32	Nisqually Earthquake Account--State Appropriation	\$469,000
33	Nisqually Earthquake Account--Federal Appropriation	\$2,142,000
34	TOTAL APPROPRIATION	\$333,103,000

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

3 (1) \$28,243,000 of the disaster response account--state
4 appropriation and \$91,263,000 of the disaster response account--federal
5 appropriation may be spent only on disasters declared by the governor
6 and with the approval of the office of financial management. The
7 military department shall submit a report quarterly to the office of
8 financial management and the legislative fiscal committees detailing
9 information on the disaster response account, including: (a) The
10 amount and type of deposits into the account; (b) the current available
11 fund balance as of the reporting date; and (c) the projected fund
12 balance at the end of the 2009-2011 biennium based on current revenue
13 and expenditure patterns.

14 (2) \$469,000 of the Nisqually earthquake account--state
15 appropriation and \$2,142,000 of the Nisqually earthquake account--
16 federal appropriation are provided solely for response and recovery
17 costs associated with the February 28, 2001, earthquake. The military
18 department shall submit a report quarterly to the office of financial
19 management and the legislative fiscal committees detailing earthquake
20 recovery costs, including: (a) Estimates of total costs; (b)
21 incremental changes from the previous estimate; (c) actual
22 expenditures; (d) estimates of total remaining costs to be paid; and
23 (e) estimates of future payments by biennium. This information shall
24 be displayed by fund, by type of assistance, and by amount paid on
25 behalf of state agencies or local organizations. The military
26 department shall also submit a report quarterly to the office of
27 financial management and the legislative fiscal committees detailing
28 information on the Nisqually earthquake account, including: (a) The
29 amount and type of deposits into the account; (b) the current available
30 fund balance as of the reporting date; and (c) the projected fund
31 balance at the end of the 2009-2011 biennium based on current revenue
32 and expenditure patterns.

33 (3) \$85,000,000 of the general fund--federal appropriation is
34 provided solely for homeland security, subject to the following
35 conditions:

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

1 (b) This amount shall not be allotted until a spending plan is
2 reviewed by the governor's domestic security advisory group and
3 approved by the office of financial management;

4 (c) The department shall submit a quarterly report to the office of
5 financial management and the legislative fiscal committees detailing
6 the governor's domestic security advisory group recommendations;
7 homeland security revenues and expenditures, including estimates of
8 total federal funding for the state; incremental changes from the
9 previous estimate, planned and actual homeland security expenditures by
10 the state and local governments with this federal funding; and matching
11 or accompanying state or local expenditures; and

12 (d) The department shall submit a report by December 1st of each
13 year to the office of financial management and the legislative fiscal
14 committees detailing homeland security revenues and expenditures for
15 the previous fiscal year by county and legislative district.

16 (4) \$500,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$500,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the military department to
19 contract with the Washington information network 2-1-1 to operate a
20 statewide 2-1-1 system. The department shall provide the entire amount
21 for 2-1-1 and shall not take any of the funds for administrative
22 purposes.

23 NEW SECTION. **Sec. 152. FOR THE PUBLIC EMPLOYMENT RELATIONS**
24 **COMMISSION**

25	General Fund--State Appropriation (FY 2010)	\$3,204,000
26	General Fund--State Appropriation (FY 2011)	\$3,215,000
27	Department of Personnel Service Account--State	
28	Appropriation	\$3,390,000
29	TOTAL APPROPRIATION	\$9,809,000

30 The appropriations in this section are subject to the following
31 conditions and limitations: \$30,000 of the general fund--state
32 appropriation for fiscal year 2010 and \$20,000 of the general fund--
33 state appropriation for fiscal year 2011 are provided solely for
34 implementation of Substitute House Bill No. 1329 (child care center
35 bargaining). If the bill is not enacted by June 30, 2009, the amounts
36 provided in this subsection shall lapse.

1 NEW SECTION. **Sec. 153. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
2 **HISTORIC PRESERVATION**

3	General Fund--State Appropriation (FY 2010)	\$1,413,000
4	General Fund--State Appropriation (FY 2011)	\$1,371,000
5	General Fund--Federal Appropriation	\$1,668,000
6	General Fund--Private/Local Appropriation	\$14,000
7	TOTAL APPROPRIATION	\$4,466,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: \$44,000 of the general fund--state
10 appropriation for fiscal year 2010 and \$22,000 of the general fund--
11 state appropriation for fiscal year 2011 are provided solely for
12 implementation of Second Substitute House Bill No. 1090 (human
13 remains). If the bill is not enacted by June 30, 2009, the amounts
14 provided in this subsection shall lapse.

15 NEW SECTION. **Sec. 154. FOR THE STATE CONVENTION AND TRADE CENTER**

16	State Convention and Trade Center Account--State	
17	Appropriation	\$60,127,000
18	State Convention and Trade Center Operating	
19	Account--State Appropriation	\$58,047,000
20	TOTAL APPROPRIATION	\$118,174,000

(End of part)

1 enrollment. The WMIP pilot projects shall not exceed a daily
 2 enrollment of 6,000 persons, nor expand beyond one county, during the
 3 2007-2009 biennium. The amount of funding assigned to the pilot
 4 projects from each program may not exceed the average per capita cost
 5 assumed in this act for individuals covered by that program,
 6 actuarially adjusted for the health condition of persons enrolled in
 7 the pilot project, times the number of clients enrolled in the pilot
 8 project. In implementing the WMIP pilot projects, the department may:
 9 (a) Withhold from calculations of "available resources" as set forth in
 10 RCW 71.24.025 a sum equal to the capitated rate for individuals
 11 enrolled in the pilots; and (b) employ capitation financing and risk-
 12 sharing arrangements in collaboration with health care service
 13 contractors licensed by the office of the insurance commissioner and
 14 qualified to participate in both the medicaid and medicare programs.
 15 The department shall conduct an evaluation of the WMIP, measuring
 16 changes in participant health outcomes, changes in patterns of service
 17 utilization, participant satisfaction, participant access to services,
 18 and the state fiscal impact.

19 NEW SECTION. **Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
 20 **SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM**

21	General Fund--State Appropriation (FY 2010)	\$300,201,000
22	General Fund--State Appropriation (FY 2011)	\$304,743,700
23	General Fund--Federal Appropriation	\$492,988,000
24	General Fund--Private/Local Appropriation	\$400,000
25	Domestic Violence Prevention Account--State	
26	Appropriation	\$1,154,000
27	Education Legacy Trust Account--State Appropriation	\$1,125,000
28	Home Security Fund Account--State Appropriation	\$6,600,000
29	TOTAL APPROPRIATION	\$1,107,211,700

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

- 32 (1) \$1,022,000 of the general fund--state appropriation for fiscal
 33 year 2010, \$1,022,000 of the general fund--state appropriation for
 34 fiscal year 2011, and \$540,000 of the general fund--federal
 35 appropriation are provided solely for the department to contract for
 36 pediatric interim care services for medically fragile, drug-impacted
 37 infants, based on the needs of the infants. The pediatric interim care

1 services shall include training, consultation, support, and recruitment
2 of biological, foster, and adoptive parents of children through age
3 three in need of special care as a result of substance abuse by their
4 mothers. Priority for these services shall be given to drug impacted
5 infants. The pediatric interim care treatment program may also serve
6 medically fragile, nonsubstance abuse affected children.

7 (2) \$616,000 of the general fund--state appropriation for fiscal
8 year 2010, \$616,000 of the general fund--state appropriation for fiscal
9 year 2011, and \$368,000 of the general fund--federal appropriation are
10 provided solely to contract with medical professionals for
11 comprehensive safety assessments of high-risk families. The safety
12 assessments shall use validated assessment tools to guide intervention
13 decisions through the identification of additional safety and risk
14 factors. \$800,000 of this amount is for comprehensive safety
15 assessments for families receiving in-home child protective services or
16 family voluntary services. \$800,000 of this amount is for
17 comprehensive safety assessments of families with an infant age birth
18 to fifteen days where the infant was, at birth, diagnosed as substance
19 exposed and the department received an intake referral related to the
20 infant due to the substance exposure.

21 (3) \$58,000 of the general fund--state appropriation for fiscal
22 year 2010 is provided solely to implement Engrossed Second Substitute
23 House Bill No. 2106 (child welfare outcomes). If the bill is not
24 enacted by June 30, 2009, the amount provided in this subsection shall
25 lapse.

26 (4) \$446,000 of the general fund--state appropriation for fiscal
27 year 2010, \$618,000 of the general fund--state appropriation for fiscal
28 year 2011, and \$257,000 of the general fund--federal appropriation are
29 provided solely to implement Engrossed Substitute House Bill No. 1961
30 (increasing adoptions act). If the bill is not enacted by June 30,
31 2009, the amounts provided in this subsection shall lapse.

32 (5) \$100,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$100,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely for the department to contract
35 with an agency that is working in partnership with, and has been
36 evaluated by, the University of Washington school of social work to
37 implement promising practice constellation hub models of foster care
38 support.

1 (6) \$5,563,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$5,563,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for intensive family preservation
4 services as defined in RCW 74.14C.010.

5 (7) \$1,056,000 of the general fund--state appropriation for fiscal
6 year 2010, \$1,056,000 of the general fund--state appropriation for
7 fiscal year 2011, and \$1,586,000 of the general fund--federal
8 appropriation are provided solely for the department to recruit foster
9 parents. The recruitment efforts shall include collaborating with
10 community-based organizations and current or former foster parents to
11 recruit foster parents.

12 (8) \$81,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$81,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for the department to contract
15 with a nonprofit entity for a reunification pilot project in Whatcom
16 and Skagit counties. The contract for the reunification pilot project
17 shall include a rate of \$46.16 per hour for evidence-based
18 interventions, in combination with supervised visits, to provide 3,564
19 hours of services to reduce the length of stay for children in the
20 child welfare system. The contract shall include the flexibility for
21 the nonprofit entity to subcontract with trained providers.

22 (9) Within amounts appropriated in this section, priority shall be
23 given to community-based services that reduce expenditures by
24 preventing entry into the behavioral rehabilitation service system and
25 reducing the length of the behavioral rehabilitation service treatment
26 time.

27 (10) Within the amounts appropriated in this section, the
28 department shall contract for a pilot project with family and community
29 networks in Whatcom county and up to four additional counties to
30 provide services. The pilot project shall be designed to provide a
31 continuum of services that reduce out-of-home placements and the
32 lengths of stay for children in out-of-home placement. The department
33 and the community networks shall collaboratively select the additional
34 counties for the pilot project and shall collaboratively design the
35 contract. Within the framework of the pilot project, the contract
36 shall seek to maximize federal funds. The pilot project in each county
37 shall include the creation of advisory and management teams which
38 include members from neighborhood-based family advisory committees,

1 residents, parents, youth, providers, and local and regional department
2 staff. The Whatcom county team shall facilitate the development of
3 outcome-based protocols and policies for the pilot project and develop
4 a structure to oversee, monitor, and evaluate the results of the pilot
5 projects. The department shall report the costs and savings of the
6 pilot project to the appropriate committees of the legislature by
7 November 1 of each year.

8 (11) \$428,000 of the general fund--federal appropriation is
9 provided solely for sex abuse recognition training. The general fund--
10 federal funding represents moneys from the American recovery and
11 reinvestment act of 2009 (Byrne/JAG funds).

12 (12) \$1,125,000 of the education legacy trust account--state
13 appropriation is provided solely for children's administration to
14 contract with an educational advocacy provider with expertise in foster
15 care educational outreach. Funding is provided solely for contracted
16 education coordinators to assist foster children in succeeding in K-12
17 and higher education systems. Funding shall be prioritized to regions
18 with high numbers of foster care youth and/or regions where backlogs of
19 youth that have formerly requested educational outreach services exist.

20 (13) \$1,300,000 of the home security fund account--state
21 appropriation is provided solely for HOPE beds.

22 (14) \$5,300,000 of the home security fund account--state
23 appropriation is provided solely for the crisis residential centers.

24 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
25 **SERVICES--JUVENILE REHABILITATION PROGRAM**

26	General Fund--State Appropriation (FY 2010)	\$96,873,000
27	General Fund--State Appropriation (FY 2011)	\$92,164,000
28	General Fund--Federal Appropriation	\$6,565,000
29	General Fund--Private/Local Appropriation	\$1,901,000
30	Washington Auto Theft Prevention Authority Account--	
31	State Appropriation	\$7,896,000
32	Juvenile Accountability Incentive Account--Federal	
33	Appropriation	\$2,812,000
34	TOTAL APPROPRIATION	\$208,211,000

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

1 (1) \$353,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$353,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for deposit in the county criminal
4 justice assistance account for costs to the criminal justice system
5 associated with the implementation of chapter 338, Laws of 1997
6 (juvenile code revisions). The amounts provided in this subsection are
7 intended to provide funding for county adult court costs associated
8 with the implementation of chapter 338, Laws of 1997 and shall be
9 distributed in accordance with RCW 82.14.310.

10 (2) \$3,078,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$3,078,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for the implementation of chapter
13 338, Laws of 1997 (juvenile code revisions). The amounts provided in
14 this subsection are intended to provide funding for county impacts
15 associated with the implementation of chapter 338, Laws of 1997 and
16 shall be distributed to counties as prescribed in the current
17 consolidated juvenile services (CJS) formula.

18 (3) \$3,716,000 of the general fund--state appropriation for fiscal
19 year 2010 and \$3,716,000 of the general fund--state appropriation for
20 fiscal year 2011 are provided solely to implement community juvenile
21 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile
22 code revisions). Funds provided in this subsection may be used solely
23 for community juvenile accountability grants, administration of the
24 grants, and evaluations of programs funded by the grants.

25 (4) \$1,506,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$1,506,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely to implement alcohol and substance
28 abuse treatment programs for locally committed offenders. The juvenile
29 rehabilitation administration shall award these moneys on a competitive
30 basis to counties that submitted a plan for the provision of services
31 approved by the division of alcohol and substance abuse. The juvenile
32 rehabilitation administration shall develop criteria for evaluation of
33 plans submitted and a timeline for awarding funding and shall assist
34 counties in creating and submitting plans for evaluation.

35 (5) \$2,300,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$2,299,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for grants to county juvenile
38 courts for the following programs identified by the Washington state

1 institute for public policy (institute) in its October 2006 report:
2 "Evidence-Based Public Policy Options to Reduce Future Prison
3 Construction, Criminal Justice Costs and Crime Rates": Functional
4 family therapy, multi-systemic therapy, aggression replacement training
5 and interagency coordination programs or other programs with a positive
6 benefit-cost finding in the institute's report. County juvenile courts
7 shall apply to the juvenile rehabilitation administration for funding
8 for program-specific participation and the administration shall provide
9 grants to the courts consistent with the per-participant treatment
10 costs identified by the institute.

11 (6) \$322,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$322,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for expansion of the following
14 treatments and therapies in juvenile rehabilitation administration
15 programs identified by the Washington state institute for public policy
16 in its October 2006 report: "Evidence-Based Public Policy Options to
17 Reduce Future Prison Construction, Criminal Justice Costs and Crime
18 Rates": Multidimensional treatment foster care, family integrated
19 transitions and aggression replacement training. The administration
20 may concentrate delivery of these treatments and therapies at a limited
21 number of programs to deliver the treatments in a cost-effective
22 manner.

23 (7) The juvenile rehabilitation administration shall provide a
24 block grant, rather than categorical funding, of consolidated juvenile
25 services funds, community juvenile accountability act grants, the
26 chemically dependent disposition alternative, and the special sex
27 offender disposition to county juvenile courts, or groups of courts,
28 including the Pierce county juvenile court. The juvenile
29 rehabilitation administration and the family policy council shall
30 jointly write criteria for awarding and administering block grants to
31 county juvenile courts. In developing the criteria, the juvenile
32 rehabilitation administration and the family policy council shall seek
33 the advice of the Washington state institute for public policy. The
34 criteria shall address, but not be limited to:

- 35 (a) The selection of courts for participation in the block grant;
36 (b) The types of evidence-based programs and practices to which the
37 funds will be applied. The evidence-based programs and practices shall
38 either be consistent with those cost-beneficial options identified by

1 the Washington state institute for public policy in its October 2006
2 report: "Evidence-Based Public Policy Options to Reduce Future Prison
3 Construction, Criminal Justice Costs and Crime Rates," or be new
4 approaches that have the potential to demonstrate positive returns for
5 the taxpayer; and

6 (c) The protocols for participating courts to collect information
7 on the effectiveness of programs funded under the block grant,
8 including: (i) Developing intermediate client outcomes based on the
9 risk assessment tool currently used by juvenile courts and in
10 coordination with the juvenile rehabilitation administration; (ii)
11 reporting treatment outcomes including a process evaluation to the
12 juvenile rehabilitation administration and the family policy council by
13 June 20, 2008, and an outcome evaluation of recidivism and benefit-cost
14 results submitted within eighteen months of the initiation of the
15 treatment, when follow-up data are available. The courts shall develop
16 these evaluations in consultation with the juvenile rehabilitation
17 administration, the family policy council, and the Washington state
18 institute for public policy; and (iii) documenting the process for
19 managing block grant funds on a quarterly basis and provide this report
20 to the juvenile rehabilitation administration and the family policy
21 council.

22 (8) \$3,700,000 of the Washington auto theft prevention authority
23 account--state appropriation is provided solely for competitive grants
24 to community-based organizations to provide at-risk youth intervention
25 services, including but not limited to, case management, employment
26 services, educational services, and street outreach intervention
27 programs. Projects funded should focus on preventing, intervening, and
28 suppressing behavioral problems and violence while linking at-risk
29 youth to pro-social activities. The department may not expend more
30 than \$1,850,000 per fiscal year. The costs of administration must not
31 exceed four percent of appropriated funding for each grant recipient.
32 Each entity receiving funds must report to the juvenile rehabilitation
33 administration on the number and types of youth served, the services
34 provided, and the impact of those services upon the youth and the
35 community.

36 (9) The department shall close Naselle youth camp by January 1,
37 2010. Youth currently in residence shall be relocated to existing
38 juvenile rehabilitation administration facilities.

1 networks at western state hospital shall be 617 per day during the
2 first quarter of fiscal year 2010, and 587 per day from October 2010
3 through June 2011. Beds in the program for adaptive living skills
4 (PALS) are not included in the preceding bed allocations. The
5 department shall separately charge regional support networks for
6 persons served in the PALS program.

7 (d) From the general fund--state appropriations in this subsection,
8 the secretary of social and health services shall assure that regional
9 support networks reimburse the aging and disability services
10 administration for the general fund--state cost of medicaid personal
11 care services that enrolled regional support network consumers use
12 because of their psychiatric disability.

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

19 (f) The department is authorized to continue to expend federal
20 block grant funds and special purpose federal grants through direct
21 contracts, rather than through contracts with regional support
22 networks, and to allocate such funds through such formulas as it shall
23 adopt.

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

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

36 (i) \$1,529,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$1,529,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely to reimburse Pierce and Spokane
2 counties for the cost of conducting 180-day commitment hearings at the
3 state psychiatric hospitals.

4 (j) \$1,500,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$1,500,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely for the Spokane regional support
7 network to implement a comprehensive plan for reducing its utilization
8 of eastern state hospital. Key elements of the plan, which shall be
9 developed and implemented in consultation with and with the assistance
10 of the department, may include but shall not be limited to development
11 of additional crisis triage, crisis stabilization, and evaluation and
12 treatment beds; provision of housing assistance for high-utilizers of
13 hospital and jail services who are at risk of homelessness;
14 implementation of an intensive outpatient treatment team for persons
15 with co-occurring disorders and other special needs; and delivery of
16 respite care to assist elderly individuals avoid or return home after
17 hospitalization. Spokane regional support network shall receive a
18 proportional share of the nonmedicaid rate reduction out of its base
19 funding distribution.

20 (k) The department is directed to identify and implement program
21 efficiencies and benefit changes in its delivery of medicaid managed
22 care services that are sufficient to operate within the state and
23 federal appropriations in this section. Such actions may include but
24 are not limited to adjusting care access standards; improved
25 utilization management of ongoing, excessively recurring, and high-
26 intensity services; and increased uniformity in provider payment rates.
27 The department shall ensure that the capitation rate adjustments
28 necessary to accomplish these efficiencies and reductions are
29 distributed uniformly and equitably across all regional support
30 networks statewide. The department is directed to report to the
31 relevant legislative fiscal and policy committees at least thirty days
32 prior to implementing rate adjustments reflecting these changes.

33 (l) In developing the new medicaid managed care rates under which
34 the public mental health managed care system will operate during the
35 five years beginning in fiscal year 2011, the department should seek to
36 estimate the reasonable and necessary cost of efficiently and
37 effectively providing a comparable set of medically necessary mental
38 health benefits to persons of different acuity levels regardless of

1 where in the state they live. Actual prior period spending in a
2 regional administrative area shall not be a key determinant of future
3 payment rates. The department shall report to the office of financial
4 management and to the relevant fiscal and policy committees of the
5 legislature on its proposed new waiver and mental health managed care
6 rate-setting approach by October 1, 2009, and again at least sixty days
7 prior to implementation of new capitation rates.

8 (2) INSTITUTIONAL SERVICES

9	General Fund--State Appropriation (FY 2010)	\$124,931,000
10	General Fund--State Appropriation (FY 2011)	\$128,501,000
11	General Fund--Federal Appropriation	\$152,132,000
12	General Fund--Private/Local Appropriation	\$65,870,000
13	TOTAL APPROPRIATION	\$471,434,000

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

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

19 (b) \$45,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$45,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely for payment to the city of
22 Lakewood for police services provided by the city at western state
23 hospital and adjacent areas.

24 (c) \$1,282,000 of the general fund--state appropriation for fiscal
25 year 2010 is provided solely to operate on a temporary basis one
26 additional adult civil commitment ward at the western state hospital.
27 The legislature intends for this ward to close on October 30, 2009, as
28 a result of targeted investments in community services for persons who
29 would otherwise need care in the hospitals.

30 (d) \$231,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$231,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for a community partnership
33 between western state hospital and the city of Lakewood to support
34 community policing efforts in the Lakewood community surrounding
35 western state hospital. The amounts provided in this subsection (2)(e)
36 are for the salaries, benefits, supplies, and equipment for one full-
37 time investigator, one full-time police officer, and one full-time
38 community service officer at the city of Lakewood.

1 (3) SPECIAL PROJECTS

2	General Fund--State Appropriation (FY 2010)	\$1,820,000
3	General Fund--State Appropriation (FY 2011)	\$1,748,000
4	General Fund--Federal Appropriation	\$2,208,000
5	TOTAL APPROPRIATION	\$5,776,000

6 The appropriations in this subsection are subject to the following
7 conditions and limitations: \$1,511,000 of the general fund--state
8 appropriation for fiscal year 2010 and \$1,511,000 of the general fund--
9 state appropriation for fiscal year 2011 are provided solely for
10 children's evidence-based mental health services. Funding is
11 sufficient to continue serving children at the same levels as fiscal
12 year 2009.

13 (4) PROGRAM SUPPORT

14	General Fund--State Appropriation (FY 2010)	\$4,193,000
15	General Fund--State Appropriation (FY 2011)	\$4,213,000
16	General Fund--Federal Appropriation	\$7,422,000
17	TOTAL APPROPRIATION	\$15,828,000

18 The appropriations in this subsection are subject to the following
19 conditions and limitations: The institute for public policy study is
20 temporarily suspended. To the extent that funds are specifically
21 appropriated for this purpose, the institute for public policy may
22 continue the longitudinal analysis directed in chapter 334, Laws of
23 2001 (mental health performance audit), to build upon the evaluation of
24 the impacts of chapter 214, Laws of 1999 (mentally ill offenders), and
25 to assess program outcomes and cost effectiveness of the children's
26 mental health pilot projects as required by chapter 372, Laws of 2006.

27 **NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
28 **SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM**

29 (1) COMMUNITY SERVICES

30	General Fund--State Appropriation (FY 2010)	\$316,534,000
31	General Fund--State Appropriation (FY 2011)	\$369,169,000
32	General Fund--Federal Appropriation	\$853,570,000
33	TOTAL APPROPRIATION	\$1,539,273,000

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

1 (a) The state contribution to the cost of health care benefits for
2 agency home care workers who are employed through state contracts shall
3 be no greater than \$585 in fiscal year 2010 and \$585 per months in
4 fiscal year 2011 per eligible participating worker per month.

5 (b) Individuals receiving family support or high school transition
6 payments as supplemental security income (SSI) state supplemental
7 payments shall not become eligible for medical assistance under RCW
8 74.09.510 due solely to the receipt of SSI state supplemental payments.

9 (c) \$726,000 of the general fund--state appropriation for fiscal
10 year 2010, \$1,924,000 of the general fund--state appropriation for
11 fiscal year 2011, and \$3,865,000 of the general fund--federal
12 appropriation are provided solely for community residential and support
13 services. Funding in this subsection shall be prioritized for (i)
14 residents of residential habilitation centers who are able to be
15 adequately cared for in community settings and who choose to live in
16 those community settings; (ii) clients without residential services who
17 are at immediate risk of institutionalization or in crisis; (iii)
18 children who are at risk of institutionalization or who are aging out
19 of other state services; and (iv) current home and community-based
20 waiver program clients who have been assessed as having an immediate
21 need for increased services. First priority shall be given to children
22 who are at risk of institutionalization. The department shall ensure
23 that the average cost per day for all program services other than
24 start-up costs shall not exceed \$300. In order to maximize the number
25 of clients served and ensure the cost-effectiveness of the waiver
26 programs, the department will strive to limit new client placement
27 expenditures to 90 percent of the budgeted daily rate. If this can be
28 accomplished, additional clients may be served with excess funds,
29 provided the total projected carry-forward expenditures do not exceed
30 the amounts estimated. The department shall electronically report to
31 the appropriate committees of the legislature, within 45 days following
32 each fiscal year quarter, the number of persons served with these
33 additional community services, where they were residing, what kinds of
34 services they were receiving prior to placement, and the actual
35 expenditures for all community services to support these clients.

36 (d) \$556,000 of the general fund--state appropriation for fiscal
37 year 2010, \$1,489,000 of the general fund--state appropriation for
38 fiscal year 2011, and \$2,578,000 of the general fund--federal

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

17 (e) The department shall manage its four waiver programs such that
18 decisions about enrollment levels and the amount, duration, and scope
19 of services maintain expenditures within appropriations. The
20 department shall electronically report to the appropriate committees of
21 the legislature, within 45 days following each fiscal year quarter, the
22 number of persons served with these additional community services,
23 where they were residing, what kinds of services they were receiving
24 prior to placement, and the actual expenditures for all community
25 services to support these clients.

26 (f) The department shall report by December 1 of each year to the
27 relevant policy committees of the legislature, on the following
28 statistics regarding clients of the individual and family service
29 program: The number of families served, the number of new applicants,
30 the total number of new awards, the number and amount of both annual
31 and one-time awards and the purpose of these awards. All of these
32 statistics must be categorized by household income levels.

33 (g) Within the amounts appropriated in this section, waiver clients
34 must receive employment and day services as authorized by their waiver,
35 such as pathway to employment, while waiting for paid employment to be
36 developed. The department shall establish and maintain a consistent
37 proposed policy for minimum direct service hours for clients, minimum
38 hours of support, time frames for seeking paid employment, and services

1 provided under pathway to employment while paid employment is sought.
2 In order to maximize the number of clients served, the department may
3 serve additional nonwaiver clients with unspent funds for waiver
4 clients, provided the total projected carry-forward expenditures do not
5 exceed the amounts estimated.

6 (h) \$1,217,000 of the general fund--state appropriation for fiscal
7 year 2010, \$2,445,000 of the general fund--state appropriation for
8 fiscal year 2011, and \$4,558,000 of the general fund--federal
9 appropriation are provided solely for the development and
10 implementation of a federal home and community-based care waiver to
11 provide intensive behavior support services to up to one hundred
12 children with developmental disabilities who have intense behaviors,
13 and their families.

14 (i) To receive services under the waiver, the child must have a
15 developmental disability and: (A) Meet an acuity measure, as
16 determined by the department, indicating that the child is at high risk
17 of needing an out-of-home placement; (B) be eligible for developmental
18 disabilities services and a home and community-based care waiver
19 program; (C) reside in his or her family home or temporarily in an
20 out-of-home placement with a plan to return home; and (D) have family
21 that demonstrates the willingness to participate in the services
22 offered through the waiver, and is not subject to a pending child
23 protective services referral.

24 (ii) The department shall authorize, contract for, and evaluate the
25 provision of intensive in-home services that support the ability of the
26 child to remain at home with their parents or relatives. Intensive
27 behavior support services under the waiver shall be provided directly
28 or by contract, and may include, but are not limited to: (A) Behavior
29 consultation and management, therapies and respite care; (B) minor home
30 or motor vehicle modifications and transportation; (C) specialized
31 nutrition and clothing; (D) training of families and other individuals
32 working with the child; and (E) inclusion in community activities.

33 (i) Amounts appropriated in this section are sufficient to develop
34 and implement the use of a consistent, statewide outcome-based vendor
35 contract for employment and day services by April 1, 2011. The rates
36 paid to vendors under this contract shall also be made consistent. In
37 its description of activities the agency shall include activity
38 listings and dollars appropriated for: Employment services, day

1 services, child development services and county administration of
2 services to the developmentally disabled. The department shall begin
3 reporting to the office of financial management on these activities
4 beginning in fiscal year 2010.

5 (j) The amounts appropriated in this subsection reflect a reduction
6 in funds available for employment and day services. In administering
7 this reduction the department shall negotiate with counties and their
8 vendors so that this reduction, to the greatest extent possible, is
9 achieved by reducing vendor rates and allowable contract administrative
10 charges (overhead) and not through reductions to direct client services
11 or direct service delivery or programs.

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

22 (l) Within the amounts appropriated in this subsection, the
23 department shall implement all necessary rules to facilitate the
24 transfer to a department home and community-based services (HCBS)
25 waiver of all eligible individuals who currently receive services under
26 the existing state-only residential programs, and otherwise meet the
27 waiver eligibility requirements. The amounts appropriated are
28 sufficient to ensure that all individuals currently receiving services
29 under state-only residential programs who are not transferred to a
30 department HCBS waiver will continue to receive residential services.

31 (m) The department shall not pay a home care agency licensed under
32 chapter 70.127 RCW for:

33 (i) Personal care services provided by a family member; or

34 (ii) Personal care services provided by an agency employee who
35 resides with the client receiving the care.

36 If a home care agency is found to have charged the state for hours
37 which the department is not authorized to pay for under this
38 subsection, the department shall require the agency to pay back the

1 state for those hours. The department shall establish criteria for
2 termination of contracts of home care agencies that violate this
3 requirement. The department shall adopt rules to implement this
4 subsection.

5 (n) Amounts appropriated in this subsection reflect a reduction to
6 administrative funds. The department shall, to the extent possible,
7 ensure that these reduction impact only administrative functions of the
8 agency and do not impact service levels.

9 (o) Adult day health services shall only be authorized for in-home
10 clients.

11 (p) By December 1, 2009, the department shall report to the
12 appropriate committees of the legislature on the number of applications
13 for residential placements that were denied, the number of applications
14 for residential placements that were accepted and the savings achieved.
15 Additionally, the department shall report on what, if any, alternatives
16 were provided to the individuals whose applications were not accepted.

17 (q) Within the appropriation of this section, the department shall
18 reduce all seventeen payment levels of the seventeen-level payment
19 system from the fiscal year 2009 levels for boarding homes, boarding
20 homes contracted as assisted living, and adult family homes. Excluded
21 from the reductions are exceptional care rate add-ons. The long-term
22 care program may develop add-ons to pay exceptional care rates to adult
23 family homes and boarding homes with specialty contracts to provide
24 support for the following specifically eligible clients:

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

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

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

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

35 (r) Amounts appropriated in this subsection reflect a reduction to
36 funds appropriated for in-home care. The department shall reduce the
37 number of in-home hours authorized. The reduction shall be scaled
38 based on the acuity level of care recipients. The largest hour

1 reductions shall be to lower acuity patients and the smallest hour
2 reductions shall be to higher acuity patients. In doing so, the
3 department shall comply with all maintenance of effort requirements
4 contained in the American reinvestment and recovery act of 2009.

5 (s) Within the appropriations in this subsection, the department
6 shall implement the federal background check and develop the training
7 infrastructure required by chapter 2, Laws of 2009 (Initiative No.
8 1029).

9 (t) Within the appropriations in this subsection, the department
10 shall prioritize fiscal year 2010 funding for training to provide the
11 basic training required by chapter 2, Laws of 2009 (Initiative No.
12 1029) for new employees who are hired on or after January 1, 2010.

13 (u) Within the amounts appropriated in this section, the department
14 shall prioritize the funding of employment services for students
15 graduating from high school during fiscal years 2010 and 2011.
16 However, nothing in this subsection is intended to displace services
17 for other recipients of employment services.

18 (2) INSTITUTIONAL SERVICES

19	General Fund--State Appropriation (FY 2010)	\$61,804,000
20	General Fund--State Appropriation (FY 2011)	\$73,933,000
21	General Fund--Federal Appropriation	\$203,872,000
22	General Fund--Private/Local Appropriation	\$22,441,000
23	TOTAL APPROPRIATION	\$362,050,000

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

26 (a) The developmental disabilities program is authorized to use
27 funds appropriated in this subsection to purchase goods and supplies
28 through direct contracting with vendors when the program determines it
29 is cost-effective to do so.

30 (b) Amounts appropriated in this subsection are sufficient to
31 provide services to community clients by licensed professionals at
32 state residential habilitation centers. These services shall be
33 provided free of charge only to those individuals who can demonstrate
34 that they are unable to pay for these services. The department may
35 provide services to individuals who can demonstrate that they are able
36 to pay for these services but must either bill the client for these
37 services or submit claims for third-party health care coverage, as

1 appropriate. The department shall adopt rules to implement this
2 subsection.

3 (c) \$642,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$721,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for the department to fulfill its
6 contracts with the school districts under chapter 28A.190 RCW to
7 provide transportation, building space, and other support services as
8 are reasonably necessary to support the educational programs of
9 students living in residential habilitation centers.

10 (d) Amounts appropriated in this subsection reflect a reduction to
11 administrative funds. The department shall, to the extent possible,
12 ensure that these reductions impact only administrative functions of
13 the agency and do not impact service levels.

14 (3) PROGRAM SUPPORT

15	General Fund--State Appropriation (FY 2010)	\$1,160,000
16	General Fund--State Appropriation (FY 2011)	\$1,234,000
17	General Fund--Federal Appropriation	\$1,329,000
18	TOTAL APPROPRIATION	\$3,723,000

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

21 (a) As part of the needs assessment instrument, the department may
22 collect data on family income for minor children with developmental
23 disabilities and all individuals who are receiving state-only funded
24 services. The department may ensure that this information is collected
25 as part of the client assessment process.

26 (b) Amounts appropriated in this subsection reflect a reduction to
27 administrative funds. The department shall, to the extent possible,
28 ensure that these reductions impact only administrative functions of
29 the agency and do not impact service levels.

30 (4) SPECIAL PROJECTS

31	General Fund--State Appropriation (FY 2010)	\$13,000
32	General Fund--State Appropriation (FY 2011)	\$13,000
33	General Fund--Federal Appropriation	\$16,877,000
34	TOTAL APPROPRIATION	\$16,903,000

35 NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**

1	SERVICES--AGING AND ADULT SERVICES PROGRAM	
2	General Fund--State Appropriation (FY 2010)	\$580,929,000
3	General Fund--State Appropriation (FY 2011)	\$685,881,000
4	General Fund--Federal Appropriation	\$1,792,566,000
5	General Fund--Private/Local Appropriation	\$20,383,000
6	Traumatic Brain Injury Account--State Appropriation	\$1,816,000
7	TOTAL APPROPRIATION	\$3,081,575,000

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

10 (1) For purposes of implementing chapter 74.46 RCW, the weighted
11 average nursing facility payment rate shall not exceed \$155.56 for
12 fiscal year 2010 and shall not exceed \$157.91 for fiscal year 2011,
13 including the rate add-on described in subsection (2) of this section.
14 The economic trends and conditions factor or factors defined in the
15 biennial appropriations act shall not be compounded with the economic
16 trends and conditions factor or factors defined in any other biennial
17 appropriations acts before applying it to the component rate
18 allocations established in accordance with chapter 74.46 RCW. When no
19 economic trends and conditions factor for either fiscal year is defined
20 in a biennial appropriations act, the economic trends and conditions
21 factor or factors defined in any earlier biennial appropriations act
22 shall not be applied solely or compounded to the component rate
23 allocations established in accordance with chapter 74.46 RCW.

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

37 (3) In accordance with chapter 74.46 RCW, the department shall

1 issue no additional certificates of capital authorization for fiscal
2 year 2010 and no new certificates of capital authorization for fiscal
3 year 2011.

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

10 (5) In accordance with chapter 74.39 RCW, the department may
11 implement two medicaid waiver programs for persons who do not qualify
12 for such services as categorically needy, subject to federal approval
13 and the following conditions and limitations:

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

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

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

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

27 (6) \$224,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$224,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for operation of the volunteer
30 chore services program.

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

37 (8) Within the appropriation of this section, the department shall
38 reduce all seventeen payment levels of the seventeen-level payment

1 system from the fiscal year 2009 levels for boarding homes, boarding
2 homes contracted as assisted living, and adult family homes. Excluded
3 from the reductions are exceptional care rate add-ons. The long-term
4 care program may develop add-ons to pay exceptional care rates to adult
5 family homes and boarding homes with specialty contracts to provide
6 support for the following specifically eligible clients:

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

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

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

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

17 (9) The department may contract for housing with service models,
18 such as cluster care, to create efficiencies in service delivery and
19 responsiveness to unscheduled personal care needs by clustering hours
20 for clients that live in close proximity to each other.

21 (10) Amounts appropriated in this section reflect a reduction to
22 funds appropriated for in-home care. The department shall reduce the
23 number of in-home hours authorized. The reduction shall be scaled
24 based on the acuity level of care recipients. The largest hour
25 reductions shall be to lower acuity patients and the smallest hour
26 reductions shall be to higher acuity patients. In doing so, the
27 department shall comply with all maintenance of effort requirements
28 contained in the American reinvestment and recovery act of 2009.

29 (11) The state contribution to the cost of health care benefits for
30 agency home care workers who are employed through state contracts shall
31 be no greater than \$585.00 in fiscal year 2010 and \$585.00 per month in
32 fiscal year 2011 per eligible participating worker per month.

33 (12) The department shall not pay a home care agency licensed under
34 chapter 70.127 RCW for:

35 (a) Personal care services provided by a family member; or

36 (b) Personal care services provided by an agency employee who
37 resides with the client receiving the care.

1 If a home care agency is found to have charged the state for hours
2 which the department is not authorized to pay for under this
3 subsection, the department shall require the agency to pay back the
4 state for those hours. The department shall establish criteria for
5 termination of contracts of home care agencies that violate this
6 requirement. The department shall adopt rules to implement this
7 subsection.

8 (13) Within the appropriations in this section, the department
9 shall implement the federal background check and develop the training
10 infrastructure required by chapter 2, Laws of 2009 (Initiative No.
11 1029).

12 (14) Within the appropriations in this section, the department
13 shall prioritize fiscal year 2010 funding for training to provide the
14 basic training required by chapter 2, Laws of 2009 (Initiative No.
15 1029) for new employees who are hired on or after January 1, 2010.

16 (15) \$660,000 of the general fund--state appropriation for fiscal
17 year 2010, \$715,000 of the general fund--state appropriation for fiscal
18 year 2011, and \$1,025,000 of the general fund--federal appropriation
19 are provided solely for transfer to the training partnership for the
20 development of the training infrastructure for homecare workers. The
21 federal portion of the appropriation in this subsection is contingent
22 upon federal approval of participation in contributions to the trust
23 and shall remain unallotted and placed in reserve status until the
24 office of financial management and the department of social and health
25 services receive federal approval.

26 (16) \$3,955,000 of the general fund--state appropriation for fiscal
27 year 2010, \$4,239,000 of the general fund--state appropriation for
28 fiscal year 2011, and \$10,190,000 of the general fund--federal
29 appropriation are provided solely for the continued operation of
30 community residential and support services for persons who have been
31 discharged or diverted from a state psychiatric hospital and are either
32 older adults or who have co-occurring functional and behavioral
33 impairments. These funds shall be used to serve individuals whose
34 treatment needs constitute substantial barriers to community placement,
35 who no longer require active psychiatric treatment at an inpatient
36 hospital level of care, and who no longer meet the criteria for
37 inpatient involuntary commitment. Coordination of these services will

1 be done in partnership between the mental health program and the aging
2 and disability services administration.

3 (17) Sufficient funding is provided in this section for the
4 department to implement Engrossed Second Substitute House Bill No. 1935
5 (adult family homes). The initial licensing fee for an adult family
6 home shall be set at \$900.00. The annual licensing renewal fee shall
7 be set at \$100.00.

8 (18) \$204,000 of the general fund--state appropriation for fiscal
9 year 2010, \$1,099,000 of the general fund--state appropriation for
10 fiscal year 2011, and \$1,697,000 for the general fund--federal
11 appropriation are provided solely to implement House Bill No. 2194
12 (extraordinary medical placement for offenders). The department shall
13 work in partnership with the department of corrections to identify
14 services and find placements for offenders who are released through the
15 extraordinary medical placement program. The department shall
16 collaborate with the department of corrections to identify and track
17 cost savings to the department of corrections, including medical cost
18 savings and to identify and track expenditures incurred by the aging
19 and disability services program for community services and by the
20 medical assistance program for medical expenses. A joint report
21 regarding the identified savings and expenditures shall be provided to
22 the office of financial management and the appropriate fiscal
23 committees of the legislature by November 30, 2010. If this bill is
24 not enacted by June 30, 2009, the amounts provided in this subsection
25 shall lapse.

26 (19) Adult day health services shall only be authorized for in-home
27 clients.

28 (20) Reductions to the area agencies on aging senior citizens
29 services act shall be to administration only.

30 NEW SECTION. **Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
31 **SERVICES--ECONOMIC SERVICES PROGRAM**

32	General Fund--State Appropriation (FY 2010)	\$585,618,000
33	General Fund--State Appropriation (FY 2011)	\$608,538,000
34	General Fund--Federal Appropriation	\$1,198,191,000
35	General Fund--Private/Local Appropriation	\$27,920,000
36	TOTAL APPROPRIATION	\$2,420,267,000

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

3 (1) \$306,694,000 of the general fund--state appropriation for
4 fiscal year 2010, \$324,843,000 of the general fund--state appropriation
5 for fiscal year 2011, and \$889,604,000 of the general fund--federal
6 appropriation are provided solely for all components of the WorkFirst
7 program. Within the amounts provided for the WorkFirst program, the
8 department may provide assistance using state-only funds for families
9 eligible for temporary assistance for needy families. Within the
10 amounts provided for the WorkFirst program, the department shall:

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

12 (b) Continue to implement WorkFirst program improvements that are
13 designed to achieve progress against outcome measures specified in RCW
14 74.08A.410. Outcome data regarding job retention and wage progression
15 shall be reported quarterly to appropriate fiscal and policy committees
16 of the legislature for families who leave assistance, measured after 12
17 months, 24 months, and 36 months. The department shall also report the
18 percentage of families who have returned to temporary assistance for
19 needy families after 12 months, 24 months, and 36 months;

20 (c) Submit a report electronically by October 1, 2009, to the
21 fiscal committees of the legislature containing a spending plan for the
22 WorkFirst program. The plan shall identify how spending levels in the
23 2009-2011 biennium will be adjusted to stay within available federal
24 grant levels and the appropriated state-fund levels;

25 (d) Provide quarterly fiscal reports to the office of financial
26 management and the legislative fiscal committees detailing information
27 on the amount expended from general fund--state and general fund--
28 federal by activity;

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

31 (2) \$750,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$750,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for naturalization services.

34 (3) \$1,500,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$1,500,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for limited English proficiency
37 pathway services.

1 (4) The department shall administer the refugee employment services
2 program in such a way as to maintain funding for the limited English
3 pathways program at a level at least equal to that provided in the
4 2007-09 biennium.

5 (5) \$79,000 of the general fund--state appropriation for fiscal
6 year 2010 is provided solely for implementation of Substitute House
7 Bill No. 1845 (medical support obligations). If the bill is not
8 enacted by June 30, 2009, the amount provided in this subsection shall
9 lapse.

10 (6) \$127,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$262,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for health care costs associated
13 with licensed family home child care providers.

14 (7) \$70,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$144,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for an enhanced toddler rate for
17 licensed family home child care providers.

18 (8) The department shall report to the legislature on outcomes of
19 the reorganization of the office of refugee and immigrant assistance.
20 The report shall include information on efficiencies and outcomes
21 related to client services, training and technical assistance to
22 providers, and administrative oversight prior to the year of the
23 reorganization compared to the outcomes achieved following the
24 reorganization. In addition to self reporting, the department shall
25 solicit comments relevant to this report from service providers and the
26 report shall include their responses. To increase transparency and
27 understanding of the office's funding practices, the report shall also
28 include information on the base budgets of funding sources for services
29 provided by the office of refugee and immigrant assistance. A
30 preliminary report shall be due to the legislature by December 1, 2009.
31 A final report shall be due June 1, 2010.

32 **NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
33 **SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM**

34	General Fund--State Appropriation (FY 2010)	\$82,379,000
35	General Fund--State Appropriation (FY 2011)	\$85,018,000
36	General Fund--Federal Appropriation	\$146,383,000
37	General Fund--Private/Local Appropriation	\$632,000

1	Criminal Justice Treatment Account--State	
2	Appropriation	\$17,750,000
3	Problem Gambling Account--State	
4	Appropriation	\$1,462,000
5	TOTAL APPROPRIATION	\$333,624,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: \$2,087,000 of the general fund--federal
8 appropriation is provided solely to supplement funding for drug courts.
9 The general fund--federal funding represents moneys from the American
10 recovery and reinvestment act of 2009 (Byrne/JAG funds).

11 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
12 **SERVICES--MEDICAL ASSISTANCE PROGRAM**

13	General Fund--State Appropriation (FY 2010)	\$1,597,692,000
14	General Fund--State Appropriation (FY 2011)	\$1,962,684,000
15	General Fund--Federal Appropriation	\$5,215,523,000
16	General Fund--Private/Local Appropriation	\$12,917,000
17	Emergency Medical Services and Trauma Care Systems	
18	Trust Account--State Appropriation	\$15,076,000
19	Tobacco Prevention and Control Account--State	
20	Appropriation	\$3,766,000
21	TOTAL APPROPRIATION	\$8,807,658,000

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

24 (1) In determining financial eligibility for medicaid-funded
25 services, the department is authorized to disregard recoveries by
26 Holocaust survivors of insurance proceeds or other assets, as defined
27 in RCW 48.104.030.

28 (2) In accordance with RCW 74.46.625, \$6,000,000 of the general
29 fund--federal appropriation is provided solely for supplemental
30 payments to nursing homes operated by public hospital districts. The
31 public hospital district shall be responsible for providing the
32 required nonfederal match for the supplemental payment, and the
33 payments shall not exceed the maximum allowable under federal rules.
34 It is the legislature's intent that the payments shall be supplemental
35 to and shall not in any way offset or reduce the payments calculated
36 and provided in accordance with part E of chapter 74.46 RCW. It is the
37 legislature's further intent that costs otherwise allowable for rate-

1 setting and settlement against payments under chapter 74.46 RCW shall
2 not be disallowed solely because such costs have been paid by revenues
3 retained by the nursing home from these supplemental payments. The
4 supplemental payments are subject to retrospective interim and final
5 cost settlements based on the nursing homes' as-filed and final
6 medicare cost reports. The timing of the interim and final cost
7 settlements shall be at the department's discretion. During either the
8 interim cost settlement or the final cost settlement, the department
9 shall recoup from the public hospital districts the supplemental
10 payments that exceed the medicaid cost limit and/or the medicare upper
11 payment limit. The department shall apply federal rules for
12 identifying the eligible incurred medicaid costs and the medicare upper
13 payment limit.

14 (3) The department shall continue the inpatient hospital certified
15 public expenditures program for the 2009-11 biennium. The program
16 shall apply to all public hospitals, including those owned or operated
17 by the state, except those classified as critical access hospitals or
18 state psychiatric institutions. The department shall submit reports to
19 the governor and legislature by November 1, 2009, and by November 1,
20 2010, that evaluate whether savings continue to exceed costs for this
21 program. If the certified public expenditures (CPE) program in its
22 current form is no longer cost-effective to maintain, the department
23 shall submit a report to the governor and legislature detailing cost-
24 effective alternative uses of local, state, and federal resources as a
25 replacement for this program. During fiscal years 2010 and 2011,
26 hospitals in the program shall be paid and shall retain (a) one hundred
27 percent of the federal portion of the allowable hospital cost for each
28 medicaid inpatient fee-for-service claim payable by medical assistance;
29 and (b) one hundred percent of the federal portion of the maximum
30 disproportionate share hospital (DSH) payment allowable under federal
31 regulations. Inpatient medicaid payments shall be established using an
32 allowable methodology that approximates the cost of claims submitted by
33 hospitals. Payments made to each hospital in the program in each
34 fiscal year of the biennium shall be compared to a baseline amount.
35 The baseline amount will be determined by the total of (a) the
36 inpatient claim payment amounts that would have been paid during the
37 fiscal year had the hospital not been in the CPE program, and (b) DSH
38 payment amounts paid to and retained by each hospital during fiscal

1 year 2005, to the extent the same DSH programs exist in the 2009-11
2 biennium. If payments during the fiscal year exceed the hospital's
3 baseline amount, no additional payments will be made to the hospital
4 except the federal portion of allowable DSH payments for which the
5 hospital can certify allowable match. If payments during the fiscal
6 year are less than the baseline amount, the hospital will be paid a
7 state grant equal to the difference between payments during the fiscal
8 year and the applicable baseline amount. Payments of the state grant
9 shall be made in the applicable fiscal year and distributed in monthly
10 payments. The grants will be recalculated and redistributed as the
11 baseline is updated during the fiscal year. The grant payments are
12 subject to an interim settlement within eleven months after the end of
13 the fiscal year. A final settlement shall be performed. To the extent
14 that either settlement determines that a hospital has received funds in
15 excess of what it would have received as described in this subsection,
16 the hospital must repay the excess amounts to the state when requested.
17 Sufficient amounts are appropriated in this section for state grants
18 for the participating hospitals.

19 (4) \$10,259,000 of the general fund--state appropriation for fiscal
20 year 2010, \$8,313,000 of the general fund--state appropriation for
21 fiscal year 2011, and \$25,601,000 of the general fund--federal
22 appropriation are provided solely for development and implementation of
23 a replacement system for the existing medicaid management information
24 system. The amounts are conditioned on the department satisfying the
25 requirements of section 902 of this act.

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

30 (6) The department is authorized to use amounts appropriated in
31 this section to purchase goods and supplies through direct contracting
32 with vendors when the department determines it is cost-effective to do
33 so.

34 (7) The legislature finds that medical assistance payment rates, as
35 calculated by the department pursuant to the appropriations in this
36 act, bear a reasonable relationship to the costs incurred by
37 efficiently and economically operated facilities for providing quality
38 services and will be sufficient to enlist enough providers so that care

1 and services are available to the extent that such care and services
2 are available to the general population in the geographic area. The
3 legislature finds that hospital medicare cost reports, payment data
4 from the federal government, historical utilization, economic data, and
5 clinical input constitute reliable data upon which to determine the
6 payment rates.

7 (8) Psychiatric hospitals, critical access hospitals, and hospitals
8 located in Washington with level one trauma centers shall be excluded
9 from hospital inpatient and outpatient rate reductions.

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

13 (10) \$300,000 of the general fund--state appropriation for fiscal
14 year 2011 and \$300,000 of the general fund--federal appropriation are
15 provided solely to continue providing up to 20 mental health visits for
16 children under Second Substitute House Bill No. 1373 (children's mental
17 health). If the bill is not enacted by June 30, 2009, the amounts
18 provided in this subsection shall lapse.

19 (11) \$276,000 of the general fund--state appropriation for fiscal
20 year 2010, \$174,000 of the general fund--state appropriation for fiscal
21 year 2011, and \$514,000 of the general fund--federal appropriation are
22 provided solely for an apple health for kids executive position and
23 identification cards for all children enrolled in the apple health for
24 kids program under Engrossed Substitute House Bill No. 2128 (children's
25 health coverage). If the bill is not enacted by June 30, 2009, the
26 amounts provided in this subsection shall lapse.

27 (12) \$63,000 of the general fund--state appropriation for fiscal
28 year 2010, \$583,000 of the general fund--state appropriation for fiscal
29 year 2011, and \$864,000 of the general fund--federal appropriation are
30 provided solely to implement House Bill No. 2194 (extraordinary medical
31 placement for offenders). The department shall work in partnership
32 with the department of corrections to identify services and find
33 placements for offenders who are released through the extraordinary
34 medical placement program. The department shall collaborate with the
35 department of corrections to identify and track cost savings to the
36 department of corrections, including medical cost savings, and to
37 identify and track expenditures incurred by the aging and disability
38 services program for community services and by the medical assistance

1 program for medical expenses. A joint report regarding the identified
2 savings and expenditures shall be provided to the office of financial
3 management and the appropriate fiscal committees of the legislature by
4 November 30, 2010. If this bill is not enacted by June 30, 2009, the
5 amounts provided in this subsection shall lapse.

6 (13) The department shall not reduce and shall continue to provide
7 family planning nurses and supplies at community services offices.

8 (14) The department shall target funding for maternity support
9 services towards pregnant women with factors that lead to higher rates
10 of poor birth outcomes, including hypertension, a preterm or low birth
11 weight birth in the most recent previous birth, a cognitive deficit or
12 developmental disability, substance abuse, severe mental illness,
13 unhealthy weight or failure to gain weight, tobacco use, or African
14 American or Native American race.

15 (15) The department shall reduce reimbursement for brand-name
16 single-source drugs to sixteen percent less than the average wholesale
17 price.

18 (16) The department shall direct graduate medical education funds
19 to programs that focus on primary care training.

20 (17) \$425,000 of the general fund--state appropriation for fiscal
21 year 2010, \$425,000 of the general fund--state appropriation for fiscal
22 year 2011, and \$2,786,000 of the general fund--federal appropriation
23 are provided solely to continue children's health coverage outreach and
24 education efforts under RCW 74.09.470. These efforts shall rely on
25 existing relationships and systems developed with local public health
26 agencies, health care providers, public schools, the women, infants,
27 and children program, the early childhood education and assistance
28 program, child care providers, newborn visiting nurses, and other
29 community-based organizations. The department shall seek public-
30 private partnerships and federal funds that are or may become available
31 to provide on-going support for outreach and education efforts under
32 the federal children's health insurance program reauthorization act of
33 2009.

34 (18) The department may, on a case-by-case basis and in the best
35 interests of the child, set payment rates for medically intensive home
36 care services to promote access to home care as an alternative to
37 hospitalization. Expenditures related to these increased payments

1 shall not exceed the amount the department would otherwise pay for
2 hospitalization for the child receiving medically intensive home care
3 services.

4 (19) The department shall reduce reimbursement for over-the-counter
5 medications while maintaining reimbursement for those over-the-counter
6 medications that can replace more costly prescription medications.

7 (20) The department shall require managed health care systems that
8 have contracts with the department to serve medical assistance clients
9 to limit any reimbursements or payments the systems make to providers
10 not employed by or under contract with the systems to the medical
11 assistance rates paid by the department to providers for comparable
12 services rendered to clients in the fee-for-service delivery system.

13 (21) 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 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
18 **SERVICES--VOCATIONAL REHABILITATION PROGRAM**

19	General Fund--State Appropriation (FY 2010)	\$10,349,000
20	General Fund--State Appropriation (FY 2011)	\$9,925,000
21	General Fund--Federal Appropriation	\$83,553,000
22	Telecommunications Devices for the Hearing and	
23	Speech Impaired--State Appropriation	\$1,981,000
24	TOTAL APPROPRIATION	\$105,808,000

25 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
26 **SERVICES--SPECIAL COMMITMENT PROGRAM**

27	General Fund--State Appropriation (FY 2010)	\$53,856,000
28	General Fund--State Appropriation (FY 2011)	\$52,829,000
29	TOTAL APPROPRIATION	\$106,685,000

30 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
31 **SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

32	General Fund--State Appropriation (FY 2010)	\$34,733,000
33	General Fund--State Appropriation (FY 2011)	\$34,805,000
34	General Fund--Federal Appropriation	\$48,346,000
35	General Fund--Private/Local Appropriation	\$1,526,000

1 TOTAL APPROPRIATION \$119,410,000

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

4 (1) \$150,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$150,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely for the Washington state mentors
7 program to continue its public-private partnerships to provide
8 technical assistance and training to mentoring programs that serve at-
9 risk youth.

10 (2) \$500,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$500,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for funding of the teamchild
13 project through the governor's juvenile justice advisory committee.

14 (3) \$200,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$200,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for the juvenile detention
17 alternatives initiative.

18 (4) Amounts appropriated in this section reflect a reduction to the
19 family policy council. The family policy council shall reevaluate
20 staffing levels and administrative costs to ensure to the extent
21 possible a maximum ratio of grant moneys provided and administrative
22 costs.

23 (5) Amounts appropriated in this section reflect a reduction to the
24 council on children and families. The council on children and families
25 shall reevaluate staffing levels and administrative costs to ensure to
26 the extent possible a maximum ratio of grant moneys provided and
27 administrative costs.

28 (6) Amounts appropriated in this section reflect a reduction to
29 administrative funds. The department shall, to the extent possible,
30 ensure that these reductions impact only administrative functions of
31 the agency and do not impact service levels.

32 **NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
33 **SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM**

34	General Fund--State Appropriation (FY 2010)	\$49,918,000
35	General Fund--State Appropriation (FY 2011)	\$49,955,000
36	General Fund--Federal Appropriation	\$46,332,000
37	TOTAL APPROPRIATION	\$146,205,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: Amounts appropriated in this section
3 reflect a reduction to administrative funds. The department shall, to
4 the extent possible, ensure that these reductions impact only
5 administrative functions of the agency and do not impact service
6 levels.

7 NEW SECTION. **Sec. 214. FOR THE STATE HEALTH CARE AUTHORITY**

8	General Fund--State Appropriation (FY 2010)	\$219,521,000
9	General Fund--State Appropriation (FY 2011)	\$173,455,000
10	General Fund--Federal Appropriation	\$4,194,000
11	State Health Care Authority Administrative Account--	
12	State Appropriation	\$32,100,000
13	Medical Aid Account--State Appropriation	\$531,000
14	TOTAL APPROPRIATION	\$429,801,000

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

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

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

32 (3) The administrator shall take at least the following actions to
33 assure that persons participating in the basic health plan are eligible
34 for the level of assistance they receive: (a) Require submission of
35 (i) income tax returns, and recent pay history, from all applicants, or
36 (ii) other verifiable evidence of earned and unearned income from those
37 persons not required to file income tax returns; (b) check employment

1 security payroll records at least once every twelve months on all
 2 enrollees; (c) require enrollees whose income as indicated by payroll
 3 records exceeds that upon which their subsidy is based to document
 4 their current income as a condition of continued eligibility; (d)
 5 require enrollees for whom employment security payroll records cannot
 6 be obtained to document their current income at least once every twelve
 7 months; (e) not reduce gross family income for self-employed persons by
 8 noncash-flow expenses such as, but not limited to, depreciation,
 9 amortization, and home office deductions; and (f) pursue repayment and
 10 civil penalties from persons who have received excessive subsidies, as
 11 provided in RCW 70.47.060(9).

12 (4) In order to maximize the funding appropriated for the basic
 13 health plan, the health care authority is directed to make
 14 modifications that will reduce the total number of subsidized enrollees
 15 to approximately 65,000 by January 1, 2010. In addition to the reduced
 16 enrollment, other modifications may include changes in enrollee premium
 17 obligations, enrollee cost-sharing, termination of the enrollment of
 18 individuals concurrently enrolled in a medicaid program, and changes in
 19 benefits.

20 (5) The department shall seek public-private partnerships and
 21 federal funds that are or may become available to implement health
 22 information technology projects under the federal American recovery and
 23 reinvestment act of 2009.

24 NEW SECTION. **Sec. 215. FOR THE HUMAN RIGHTS COMMISSION**

25	General Fund--State Appropriation (FY 2010)	\$2,792,000
26	General Fund--State Appropriation (FY 2011)	\$2,795,000
27	General Fund--Federal Appropriation	\$1,336,000
28	TOTAL APPROPRIATION	\$6,923,000

29 NEW SECTION. **Sec. 216. FOR THE BOARD OF INDUSTRIAL INSURANCE**
 30 **APPEALS**

31	Worker and Community Right-to-Know Account--State	
32	Appropriation	\$20,000
33	Accident Account--State Appropriation	\$18,671,000
34	Medical Aid Account--State Appropriation	\$18,671,000
35	TOTAL APPROPRIATION	\$37,362,000

1 kidnapping offenders shall be considered at risk level I unless in the
2 opinion of the local jurisdiction a higher classification is in the
3 interest of public safety.

4 (b) Collect performance data from all participating jurisdictions
5 sufficient to evaluate the efficiency and effectiveness of the address
6 and residency verification program.

7 (c) Submit a report on the effectiveness of the address and
8 residency verification program to the governor and the appropriate
9 committees of the house of representatives and senate by December 31st,
10 each year.

11 The Washington association of sheriffs and police chiefs may retain up
12 to three percent of the amount provided in this subsection for the cost
13 of administration. Any funds not disbursed for address and residency
14 verification or retained for administration may be allocated to local
15 prosecutors for the prosecution costs associated with failing to
16 register offenses.

17 (4) \$30,000 of the general fund--state appropriation for fiscal
18 year 2010 is provided solely for the implementation of Second
19 Substitute House Bill No. 2078. If the bill is not enacted by June 30,
20 2009, the amount provided in this subsection shall lapse.

21 NEW SECTION. **Sec. 218.** **FOR THE DEPARTMENT OF LABOR AND**
22 **INDUSTRIES**

23	General Fund--State Appropriation (FY 2010)	\$23,909,000
24	General Fund--State Appropriation (FY 2011)	\$25,031,000
25	General Fund--Federal Appropriation	\$100,000
26	Public Safety and Education Account--Federal	
27	Appropriation	\$10,000,000
28	Asbestos Account--State Appropriation	\$891,000
29	Electrical License Account--State Appropriation	\$42,256,000
30	Farm Labor Revolving Account--Private/Local	
31	Appropriation	\$28,000
32	Worker and Community Right-to-Know Account--State	
33	Appropriation	\$1,997,000
34	Public Works Administration Account--State	
35	Appropriation	\$6,060,000
36	Manufactured Home Installation Training Account--	
37	State Appropriation	\$141,000

1	Manufactured Housing Account--State Appropriation	\$8,000
2	Accident Account--State Appropriation	\$249,381,000
3	Accident Account--Federal Appropriation	\$13,622,000
4	Medical Aid Account--State Appropriation	\$251,142,000
5	Medical Aid Account--Federal Appropriation	\$3,186,000
6	Plumbing Certificate Account--State Appropriation	\$1,713,000
7	Pressure Systems Safety Account--State	
8	Appropriation	\$3,824,000
9	TOTAL APPROPRIATION	\$633,289,000

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

12 (1) \$4,850,000 of the medical aid account--state appropriation is
13 provided solely to establish a program of safety and health as
14 authorized by RCW 49.17.210 to be administered under rules adopted
15 pursuant to chapter 34.05 RCW, provided that projects funded involve
16 workplaces insured by the medical aid fund, and that priority is given
17 to projects fostering accident prevention through cooperation between
18 employers and employees or their representatives.

19 (2) \$150,000 of the medical aid account--state appropriation is
20 provided solely for the department to contract with one or more
21 independent experts to evaluate and recommend improvements to the
22 rating plan under chapter 51.18 RCW, including analyzing how risks are
23 pooled, the effect of including worker premium contributions in
24 adjustment calculations, incentives for accident and illness
25 prevention, return-to-work practices, and other sound risk-management
26 strategies that are consistent with recognized insurance principles.

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

33 (4) \$269,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$183,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for the implementation of
36 Engrossed Second Substitute House Bill No. 1393 (residential
37 construction). If the bill is not enacted by June 30, 2009, the
38 amounts provided in this subsection shall lapse.

1 (5) \$73,000 of the general fund--state appropriation for fiscal
2 year 2010, \$66,000 of the general fund--state appropriation for fiscal
3 year 2011, \$606,000 of the accident account--state appropriation, and
4 \$600,000 of the medical aid account--state appropriation are provided
5 solely for the implementation of House Bill No. 1555 (underground
6 economy). If the bill is not enacted by June 30, 2009, the amounts
7 provided in this subsection shall lapse.

8 (6) \$574,000 of the accident account--state appropriation and
9 \$579,000 of the medical account--state appropriation are provided
10 solely for the implementation of House Bill No. 1402 (industrial
11 insurance appeals). If the bill is not enacted by June 30, 2009, the
12 amounts provided in this subsection shall lapse.

13 (7) \$84,000 of the accident account--state appropriation and
14 \$82,000 of the medical aid account--state appropriation are provided
15 solely for implementation of Substitute House Bill No. 1554 (stop work
16 orders). If the bill is not enacted by June 30, 2009, the amounts
17 provided in this subsection shall lapse.

18 (8) \$138,000 of the public works administration account--state
19 appropriation for fiscal year 2010 and \$122,000 of the public works
20 administration account--state appropriation for fiscal year 2011 are
21 provided solely for implementation of Engrossed House Bill No. 1836
22 (offsite prefabrication). If the bill is not enacted by June 30, 2009,
23 the amounts provided in this subsection shall lapse.

24 (9) \$424,000 of the accident account--state appropriation and
25 \$76,000 of the medical aid account--state appropriation are provided
26 solely for implementation of House Bill No. 2032 (community
27 agricultural worker safety grant). The department shall enter into an
28 interagency agreement with the department of agriculture to implement
29 the bill. If the bill is not enacted by July 30, 2009, the amounts
30 provided in this subsection shall lapse.

31 NEW SECTION. **Sec. 219. FOR THE INDETERMINATE SENTENCE REVIEW**
32 **BOARD**

33	General Fund--State Appropriation (FY 2010)	\$1,817,000
34	General Fund--State Appropriation (FY 2011)	\$1,814,000
35	TOTAL APPROPRIATION	\$3,631,000

1 NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF VETERANS AFFAIRS

2 (1) HEADQUARTERS

3	General Fund--State Appropriation (FY 2010)	\$1,918,000
4	General Fund--State Appropriation (FY 2011)	\$1,899,000
5	Charitable, Educational, Penal, and Reformatory	
6	Institutions Account--State Appropriation	\$10,000
7	TOTAL APPROPRIATION	\$3,827,000

8 (2) FIELD SERVICES

9	General Fund--State Appropriation (FY 2010)	\$4,952,000
10	General Fund--State Appropriation (FY 2011)	\$5,002,000
11	General Fund--Federal Appropriation	\$1,842,000
12	General Fund--Private/Local Appropriation	\$3,513,000
13	Veterans Innovations Program Account--State Appropriation . .	\$900,000
14	Veteran Estate Management Account--Private/Local	
15	Appropriation	\$1,080,000
16	TOTAL APPROPRIATION	\$17,289,000

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

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

23 (b) \$900,000 of the veterans innovations program account--state
24 appropriation is provided solely for the department to continue support
25 for returning combat veterans through the veterans innovation program,
26 including emergency financial assistance through the defenders' fund
27 and long-term financial assistance through the competitive grant
28 program.

29 (3) INSTITUTIONAL SERVICES

30	General Fund--State Appropriation (FY 2010)	\$3,688,000
31	General Fund--State Appropriation (FY 2011)	\$3,069,000
32	General Fund--Federal Appropriation	\$51,238,000
33	General Fund--Private/Local Appropriation	\$32,073,000
34	TOTAL APPROPRIATION	\$90,068,000

35 NEW SECTION. Sec. 221. FOR THE HOME CARE QUALITY AUTHORITY

36	General Fund--State Appropriation (FY 2010)	\$1,227,000
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1 General Fund--State Appropriation (FY 2011) \$1,218,000
 2 TOTAL APPROPRIATION \$2,445,000

3 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF HEALTH**

4 General Fund--State Appropriation (FY 2010) \$115,160,000
 5 General Fund--State Appropriation (FY 2011) \$86,633,000
 6 General Fund--Federal Appropriation \$482,128,000
 7 General Fund--Private/Local Appropriation \$140,497,000
 8 Hospital Commission Account--State Appropriation \$339,000
 9 Health Professions Account--State Appropriation \$79,170,000
 10 Aquatic Lands Enhancement Account--State
 11 Appropriation \$604,000
 12 Emergency Medical Services and Trauma Care Systems
 13 Trust Account--State Appropriation \$12,617,000
 14 Safe Drinking Water Account--State Appropriation \$2,748,000
 15 Drinking Water Assistance Administrative Account--
 16 State Appropriation \$326,000
 17 Drinking Water Assistance Account--Federal
 18 Appropriation \$22,969,000
 19 Waterworks Operator Certification--State
 20 Appropriation \$1,528,000
 21 State Toxics Control Account--State Appropriation \$3,704,000
 22 Medical Test Site Licensure Account--State
 23 Appropriation \$2,132,000
 24 Youth Tobacco Prevention Account--State Appropriation . . . \$1,512,000
 25 Public Health Supplemental Account--Private/Local
 26 Appropriation \$3,529,000
 27 Accident Account--State Appropriation \$298,000
 28 Medical Aid Account--State Appropriation \$48,000
 29 Tobacco Prevention and Control Account--State
 30 Appropriation \$46,920,000
 31 TOTAL APPROPRIATION \$1,002,862,000

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

34 (1) The department of health shall not initiate any services that
 35 will require expenditure of state general fund moneys unless expressly
 36 authorized in this act or other law. The department may seek, receive,
 37 and spend, under RCW 43.79.260 through 43.79.282, federal moneys not

1 anticipated in this act as long as the federal funding does not require
2 expenditure of state moneys for the program in excess of amounts
3 anticipated in this act. If the department receives unanticipated
4 unrestricted federal moneys, those moneys shall be spent for services
5 authorized in this act or in any other legislation that provides
6 appropriation authority, and an equal amount of appropriated state
7 moneys shall lapse. Upon the lapsing of any moneys under this
8 subsection, the office of financial management shall notify the
9 legislative fiscal committees. As used in this subsection,
10 "unrestricted federal moneys" includes block grants and other funds
11 that federal law does not require to be spent on specifically defined
12 projects or matched on a formula basis by state funds.

13 (2) The department shall eliminate outreach activities for the
14 health care directives registry and use the remaining amounts to
15 maintain the contract for the registry and minimal staffing necessary
16 to administer the basic entry functions for the registry.

17 (3) Funding in this section reflects a temporary reduction of
18 resources for the state board of health to conduct health impact
19 reviews.

20 (4) \$764,000 of the health professions account appropriation is
21 provided solely for the medical quality assurance commission to
22 maintain disciplinary staff and associated costs sufficient to reduce
23 the backlog of disciplinary cases and to continue to manage the
24 disciplinary caseload of the commission.

25 (5) \$57,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$58,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely for the midwifery licensure and
28 regulatory program to offset a reduction in revenue from fees. There
29 shall be no change to the current annual fees for new or renewed
30 licenses for the midwifery program.

31 (6) Pursuant to RCW 43.135.055 and 43.70.125, the department is
32 authorized to adopt rules to establish a fee schedule to apply to
33 applicants for initial certification surveys of health care facilities
34 for purposes of receiving federal health care program reimbursement.
35 The fees shall only apply when the department has determined that
36 federal funding is not sufficient to compensate the department for the
37 cost of conducting initial certification surveys. The fees for initial
38 certification surveys may be established as follows: Up to \$1,815 for

1 ambulatory surgery centers, up to \$2,015 for critical access hospitals,
2 up to \$980 for end stage renal disease facilities, up to \$2,285 for
3 home health agencies, up to \$2,285 for hospice agencies, up to \$2,285
4 for hospitals, up to \$520 for rehabilitation facilities, up to \$690 for
5 rural health clinics, and up to \$7,000 for transplant hospitals.

6 (7) \$100,000 of the health professions account appropriation is
7 provided solely for implementation of Substitute House Bill No. 1414
8 (health care assistants). If the bill is not enacted by June 30, 2009,
9 the amount provided in this subsection shall lapse.

10 (8) Funding for the human papillomavirus vaccine shall not be
11 included in the department's universal vaccine purchase program in
12 fiscal year 2010. Remaining funds for the universal vaccine purchase
13 program shall be used to continue the purchase of all other vaccines
14 included in the program until May 1, 2010, or until funds are
15 exhausted, at which point state funding for the universal vaccine
16 purchase program shall be discontinued.

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

24 (10) \$16,000,000 of the tobacco prevention and control account--
25 state appropriation is provided solely for the local health
26 jurisdictions to conduct core public health functions as defined in RCW
27 43.70.514.

28 **NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF CORRECTIONS**

29 (1) ADMINISTRATION AND SUPPORT SERVICES

30	General Fund--State Appropriation (FY 2010)	\$55,626,000
31	General Fund--State Appropriation (FY 2011)	\$56,113,000
32	TOTAL APPROPRIATION	\$111,739,000

33 The appropriations in this subsection are subject to the following
34 conditions and limitations: \$35,000 of the general fund--state
35 appropriation for fiscal year 2010 and \$35,000 of the general fund--
36 state appropriation for fiscal year 2011 are provided solely for the
37 establishment and support of a statewide council on mentally ill

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

9 (2) CORRECTIONAL OPERATIONS

10	General Fund--State Appropriation (FY 2010)	\$464,494,000
11	General Fund--State Appropriation (FY 2011)	\$643,889,000
12	General Fund--Federal Appropriation	\$188,819,000
13	Washington Auto Theft Prevention Authority Account--	
14	State Appropriation	\$3,760,000
15	TOTAL APPROPRIATION	\$1,300,962,000

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

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

24 (b) The department shall provide funding for the pet partnership
25 program at the Washington corrections center for women at a level at
26 least equal to that provided in the 1995-97 biennium.

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

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

- 36 (i) The lowest rate charged to both the inmate and the person paying
- 37 for the telephone call; and (ii) the lowest commission rates paid to
- 38 the department, while providing reasonable compensation to cover the

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

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

9 (f) Within amounts provided in this subsection, the department,
10 jointly with the department of social and health services, shall
11 identify the number of offenders released through the extraordinary
12 medical placement program, the cost savings to the department of
13 corrections, including estimated medical cost savings, and the costs
14 for medical services in the community incurred by the department of
15 social and health services. The department and the department of
16 social and health services shall jointly report to the office of
17 financial management and the appropriate fiscal committees of the
18 legislature by November 30, 2010.

19 (g) \$11,863,000 of the general fund--state appropriation for fiscal
20 year 2010, \$11,864,000 of the general fund--state appropriation for
21 fiscal year 2011, and \$2,336,000 of the general fund--federal
22 appropriation are provided solely for in-prison evidence-based programs
23 and for the reception diagnostic center program as part of the offender
24 re-entry initiative. The general fund--federal funding represents
25 moneys from the American recovery and reinvestment act of 2009
26 (Byrne/JAG funds).

27 (h) A political subdivision which is applying for funding to
28 mitigate one-time impacts associated with construction or expansion of
29 a correctional institution, consistent with WAC 137-12A-030, may apply
30 for the mitigation funds in the fiscal biennium in which the impacts
31 occur or in the immediately succeeding fiscal biennium.

32 (3) COMMUNITY SUPERVISION

33	General Fund--State Appropriation (FY 2010)	\$148,253,000
34	General Fund--State Appropriation (FY 2011)	\$142,516,000
35	TOTAL APPROPRIATION	\$290,769,000

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

1 (a) The department shall accomplish personnel reductions with the
2 least possible impact on correctional custody staff, community custody
3 staff, and correctional industries. For the purposes of this
4 subsection, correctional custody staff means employees responsible for
5 the direct supervision of offenders.

6 (b) For the acquisition of properties and facilities, the
7 department of corrections is authorized to enter into financial
8 contracts, paid for from operating resources, for the purposes
9 indicated and in not more than the principal amounts indicated, plus
10 financing expenses and required reserves pursuant to chapter 39.94 RCW.
11 This authority applies to the following: Lease-develop with the option
12 to purchase or lease-purchase work release beds in facilities
13 throughout the state for \$8,561,000.

14 (c) \$3,166,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$3,166,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for evidence-based community
17 programs and for community justice centers as part of the offender re-
18 entry initiative.

19 (4) CORRECTIONAL INDUSTRIES

20	General Fund--State Appropriation (FY 2010)	\$2,583,000
21	General Fund--State Appropriation (FY 2011)	\$2,572,000
22	TOTAL APPROPRIATION	\$5,155,000

23 The appropriations in this subsection are subject to the following
24 conditions and limitations: \$132,000 of the general fund--state
25 appropriation for fiscal year 2010 and \$132,000 of the general fund--
26 state appropriation for fiscal year 2011 are provided solely for
27 transfer to the jail industries board. The board shall use the amounts
28 provided only for administrative expenses, equipment purchases, and
29 technical assistance associated with advising cities and counties in
30 developing, promoting, and implementing consistent, safe, and efficient
31 offender work programs.

32 (5) INTERAGENCY PAYMENTS

33	General Fund--State Appropriation (FY 2010)	\$42,660,000
34	General Fund--State Appropriation (FY 2011)	\$42,429,000
35	TOTAL APPROPRIATION	\$85,089,000

1 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF SERVICES FOR THE**

2 **BLIND**

3	General Fund--State Appropriation (FY 2010)	\$2,581,000
4	General Fund--State Appropriation (FY 2011)	\$2,580,000
5	General Fund--Federal Appropriation	\$18,222,000
6	General Fund--Private/Local Appropriation	\$20,000
7	TOTAL APPROPRIATION	\$23,403,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: The department shall not reduce and shall
10 continue to provide funding for contracted services that provide
11 employment support and help with life activities for deaf and blind
12 individuals in King county.

13 NEW SECTION. **Sec. 225. FOR THE SENTENCING GUIDELINES COMMISSION**

14	General Fund--State Appropriation (FY 2010)	\$1,104,000
15	General Fund--State Appropriation (FY 2011)	\$1,099,000
16	TOTAL APPROPRIATION	\$2,203,000

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) During the 2009-11 biennium, the reports required by RCW

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

4 NEW SECTION. **Sec. 226. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

5	General Fund--State Appropriation (FY 2010)	\$53,000
6	General Fund--State Appropriation (FY 2011)	\$54,000
7	General Fund--Federal Appropriation	\$321,730,000
8	General Fund--Private/Local Appropriation	\$33,836,000
9	Unemployment Compensation Administration Account--	
10	Federal Appropriation	\$303,919,000
11	Administrative Contingency Account--State	
12	Appropriation	\$28,264,000
13	Employment Service Administrative Account--State	
14	Appropriation	\$37,473,000
15	TOTAL APPROPRIATION	\$725,329,000

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

18 (1) \$24,858,000 of the unemployment compensation administration
19 account--federal appropriation is provided from amounts made available
20 to the state by section 903(d) of the social security act (Reed Act).
21 This amount is authorized to continue current unemployment insurance
22 functions and department services to employers and job seekers.

23 (2) \$32,067,000 of the unemployment compensation administration
24 account--federal appropriation is provided from amounts made available
25 to the state by section 903(d) of the social security act (Reed act).
26 This amount is authorized to fund the unemployment insurance tax
27 information system (TAXIS) technology initiative for the employment
28 security department. This subsection is subject to section 902 of this
29 act.

30 (3) \$187,000 of the unemployment compensation account--federal
31 appropriation is provided solely for the implementation of House Bill
32 No. 1555 (underground economy) from funds made available to the state
33 by section 903(d) of the social security act (Reed act).

(End of part)

PART III
NATURAL RESOURCES

NEW SECTION. **Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund--State Appropriation (FY 2010)	\$412,000
General Fund--State Appropriation (FY 2011)	\$414,000
General Fund--Federal Appropriation	\$30,000
General Fund--Private/Local Appropriation	\$1,074,000
TOTAL APPROPRIATION	\$1,930,000

NEW SECTION. **Sec. 302. FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2010)	\$56,358,000
General Fund--State Appropriation (FY 2011)	\$54,256,000
General Fund--Federal Appropriation	\$82,979,000
General Fund--Private/Local Appropriation	\$16,709,000
Special Grass Seed Burning Research Account--State Appropriation	\$14,000
Reclamation Account--State Appropriation	\$3,712,000
Flood Control Assistance Account--State Appropriation	\$1,984,000
Waste Reduction/Recycling/Litter Control--State Appropriation	\$14,723,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$432,000
Freshwater Aquatic Algae Control Account--State Appropriation	\$509,000
Water Rights Tracking System Account--State Appropriation	\$116,000
Site Closure Account--State Appropriation	\$706,000
Wood Stove Education and Enforcement Account-- State Appropriation	\$615,000
Worker and Community Right-to-Know Account-- State Appropriation	\$1,697,000
State Toxics Control Account--State Appropriation	\$102,189,000
State Toxics Control Account--Private/Local Appropriation	\$387,000
Local Toxics Control Account--State Appropriation	\$24,803,000

1	Water Quality Permit Account--State Appropriation	\$35,110,000
2	Underground Storage Tank Account--State	
3	Appropriation	\$3,344,000
4	Biosolids Permit Account--State Appropriation	\$1,426,000
5	Hazardous Waste Assistance Account--State	
6	Appropriation	\$6,019,000
7	Air Pollution Control Account--State Appropriation	\$2,052,000
8	Oil Spill Prevention Account--State Appropriation	\$10,810,000
9	Air Operating Permit Account--State Appropriation	\$2,651,000
10	Freshwater Aquatic Weeds Account--State	
11	Appropriation	\$1,703,000
12	Oil Spill Response Account--State Appropriation	\$7,078,000
13	Metals Mining Account--State Appropriation	\$14,000
14	Water Pollution Control Revolving Account--State	
15	Appropriation	\$474,000
16	Water Pollution Control Revolving Account--Federal	
17	Appropriation	\$1,966,000
18	TOTAL APPROPRIATION	\$434,836,000

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

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

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

31 (3) \$3,000,000 of the general fund--private/local appropriation is
32 provided solely for contracted toxic-site cleanup actions at sites
33 where multiple potentially liable parties agree to provide funding.

34 (4) \$3,600,000 of the local toxics account--state appropriation is
35 provided solely for the standby emergency rescue tug stationed at Neah
36 Bay.

37 (5) \$811,000 of the state toxics account--state appropriation is

1 provided solely for oversight of toxic cleanup at facilities that
2 treat, store, and dispose of hazardous wastes.

3 (6) \$1,456,000 of the state toxics account--state appropriation is
4 provided solely for toxic cleanup at sites where willing parties
5 negotiate prepayment agreements with the department and provide
6 necessary funding.

7 (7) \$558,000 of the state toxics account--state appropriation and
8 \$3,000,000 of the local toxics account--state appropriation are
9 provided solely for grants and technical assistance to Puget Sound-area
10 local governments engaged in updating shoreline master programs.

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

15 (9) RCW 70.105.280 authorizes the department to assess reasonable
16 service charges against those facilities that store, treat, incinerate,
17 or dispose of dangerous or extremely hazardous waste that involves both
18 a nonradioactive hazardous component and a radioactive component.
19 Service charges may not exceed the costs to the department in carrying
20 out the duties in RCW 70.105.280. The current service charges do not
21 meet the costs of the department to carry out its duties. Pursuant to
22 RCW 43.135.055 and 70.105.280, the department is authorized to increase
23 the service charges no greater than 15 percent for fiscal year 2010 and
24 no greater than 12 percent for fiscal year 2011.

25 (10) \$150,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$150,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely for watershed planning
28 implementation grants to continue ongoing efforts to develop and
29 implement water agreements in the Nooksack Basin and the Bertrand
30 watershed. These amounts are intended to support project
31 administration; monitoring; negotiations in the Nooksack watershed
32 between tribes, the department, and affected water users; continued
33 implementation of a flow augmentation project; plan implementation in
34 the Fishtrap watershed; and the development of a water bank.

35 (11) \$215,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$235,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely to provide watershed planning
38 implementation grants for WRIA 32 to implement Substitute House Bill

1 No. 1580 (pilot local water management program). If the bill is not
2 enacted by June 30, 2009, the amounts provided in this subsection shall
3 lapse.

4 (12) \$50,000 of the general fund--state appropriation for fiscal
5 year 2010 is provided solely for watershed planning implementation
6 grants to support a facilitated discussion among the city of Port
7 Townsend, Jefferson county, Jefferson county PUD #1, and affected
8 Indian Tribes to develop a feasible water supply strategy for the
9 water-short sub-basins in the Jefferson county portion of the Quilcene-
10 Snow watershed (WRIA 17). The selected facilitator must have water
11 supply expertise and be mutually acceptable to all participants. The
12 strategy should address the allocation of functions, authorities, and
13 resource requirements of a water supply partnership among the
14 participating governments, and must consider water sources, water
15 supply management, and financing. A proposed water supply strategy
16 should build on past efforts of the WRIA 17 watershed planning unit,
17 match supply with demand, and protect or enhance salmon habitat. If
18 the participating governments reach agreement on a water supply
19 partnership, the proposal shall be presented to the WRIA 17 watershed
20 planning unit for consideration for inclusion as a recommendation in
21 the watershed management plan for the Quilcene-Snow water resource
22 inventory area (WRIA 17). A report outlining the proposed water supply
23 strategy and any adopted watershed plan recommendation shall be
24 submitted to the governor and the appropriate committees of the
25 legislature by June 30, 2010.

26 (13) \$100,000 of general fund--state appropriation for fiscal year
27 2010 is provided solely for watershed planning implementation grants to
28 fund a feasibility or engineering study toward implementing a water
29 supply proposal formally recommended in the watershed management plan
30 for the Quilcene-Snow water resource inventory area (WRIA 17).

31 (14) The department shall convene a stock water working group that
32 includes legislators and appropriate stakeholders. The working group
33 shall review the following issues: (a) The meaning of "stock
34 watering;" (b) the quantities of water available under the exemption
35 from water right permit requirements for withdrawals of public
36 groundwater for stock watering purposes; and (c) the extent, scope, and
37 manner of the use of the exempt well provision for the watering of
38 stock.

1 (15) \$62,000 of the state toxics control account--state
2 appropriation is provided solely for implementation of Substitute House
3 Bill No. 1135 (solid waste handling permits). If the bill is not
4 enacted by June 30, 2009, the amount provided in this subsection shall
5 lapse.

6 (16) \$48,000 of the state toxics control account--state
7 appropriation is provided solely for implementation of Second
8 Substitute House Bill No. 1180 (bisphenol A use). If the bill is not
9 enacted by June 30, 2009, the amount provided in this subsection shall
10 lapse.

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

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

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

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

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

14 (22) The department shall delay compliance requirements for the
15 national pollution discharge elimination system phase 2 permit schedule
16 for the city of Pullman until the next reissuance in 2012.

17 NEW SECTION. **Sec. 303. FOR THE STATE PARKS AND RECREATION**
18 **COMMISSION**

19	General Fund--State Appropriation (FY 2010)	\$30,497,000
20	General Fund--State Appropriation (FY 2011)	\$29,726,000
21	General Fund--Federal Appropriation	\$5,927,000
22	General Fund--Private/Local Appropriation	\$73,000
23	Winter Recreation Program Account--State	
24	Appropriation	\$1,561,000
25	Off Road Vehicle Account--State Appropriation	\$240,000
26	Snowmobile Account--State Appropriation	\$4,845,000
27	Aquatic Lands Enhancement Account--State Appropriation	\$369,000
28	Parks Renewal and Stewardship Account--State	
29	Appropriation	\$70,230,000
30	Parks Renewal and Stewardship Account--	
31	Private/Local Appropriation	\$300,000
32	TOTAL APPROPRIATION	\$143,768,000

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 (2) \$1,500,000 of the parks renewal and stewardship account--state
4 appropriation is provided solely to implement Substitute House Bill No.
5 2109 (state parks and recreation funding). If the bill is not enacted
6 by June 30, 2009, the amount provided in this subsection shall lapse.

7 (3) The state parks and recreation commission shall enter into an
8 interagency agreement with the department of general administration for
9 the management of all leases on state park lands. The department of
10 general administration shall evaluate lease renewals and those leases
11 scheduled for renewal during the 2009-11 fiscal biennium with a goal of
12 charging fair market value for the use of park lands by private
13 organizations. The state parks and recreation commission shall
14 reimburse the department of general administration for its property
15 management services with funds from the parks renewal and stewardship
16 account.

17 (4) The state parks and recreation commission shall not close any
18 parks during the 2009-11 biennium. By January 10, 2010, the state
19 parks and recreation commission shall provide a report to the
20 legislature on their budget and resources related to operating parks
21 for the remainder of the biennium.

22 NEW SECTION. **Sec. 304. FOR THE RECREATION AND CONSERVATION**
23 **FUNDING BOARD**

24	General Fund--State Appropriation (FY 2010)	\$1,509,000
25	General Fund--State Appropriation (FY 2011)	\$1,555,000
26	General Fund--Federal Appropriation	\$10,431,000
27	General Fund--Private/Local Appropriation	\$250,000
28	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
29	Firearms Range Account--State Appropriation	\$39,000
30	Recreation Resources Account--State Appropriation	\$2,851,000
31	NOVA Program Account--State Appropriation	\$1,062,000
32	TOTAL APPROPRIATION	\$17,975,000

33 The appropriations in this section are subject to the following
34 conditions and limitations: \$204,000 of the general fund--state
35 appropriation for fiscal year 2010 and \$244,000 of the general fund--
36 state appropriation for fiscal year 2011 are provided solely for the

1 implementation of Substitute House Bill No. 2157 (salmon recovery). If
2 the bill is not enacted by June 30, 2009, the amounts provided in this
3 subsection shall lapse.

4 NEW SECTION. **Sec. 305. FOR THE ENVIRONMENTAL HEARINGS OFFICE**

5	General Fund--State Appropriation (FY 2010)	\$2,451,000
6	General Fund--State Appropriation (FY 2011)	\$2,384,000
7	TOTAL APPROPRIATION	\$4,835,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: \$1,491,000 of the general fund--state
10 appropriation for fiscal year 2010 and \$1,433,000 of the general fund--
11 state appropriation for fiscal year 2011 are provided solely for H- .
12 .. (growth management hearings board). If this bill is not enacted by
13 June 30, 2009, the amounts provided in this subsection shall lapse

14 NEW SECTION. **Sec. 306. FOR THE CONSERVATION COMMISSION**

15	General Fund--State Appropriation (FY 2010)	\$7,689,000
16	General Fund--State Appropriation (FY 2011)	\$7,697,000
17	General Fund--Federal Appropriation	\$1,179,000
18	Performance Audits of Government Account--State	
19	Appropriation	\$288,000
20	TOTAL APPROPRIATION	\$16,853,000

21 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

22	General Fund--State Appropriation (FY 2010)	\$39,887,000
23	General Fund--State Appropriation (FY 2011)	\$38,438,000
24	General Fund--Federal Appropriation	\$52,005,000
25	General Fund--Private/Local Appropriation	\$37,700,000
26	Off Road Vehicle Account--State Appropriation	\$419,000
27	Aquatic Lands Enhancement Account--State	
28	Appropriation	\$6,792,000
29	Recreational Fisheries Enhancement--State	
30	Appropriation	\$3,657,000
31	Warm Water Game Fish Account--State Appropriation	\$2,896,000
32	Eastern Washington Pheasant Enhancement Account--	
33	State Appropriation	\$757,000
34	Aquatic Invasive Species Enforcement Account--	
35	State Appropriation	\$206,000

1	Aquatic Invasive Species Prevention Account--	
2	State Appropriation	\$845,000
3	Wildlife Account--State Appropriation	\$74,689,000
4	Wildlife Account--Federal Appropriation	\$34,824,000
5	Wildlife Account--Private/Local Appropriation	\$10,066,000
6	Game Special Wildlife Account--State Appropriation	\$2,391,000
7	Game Special Wildlife Account--Federal Appropriation	\$8,930,000
8	Game Special Wildlife Account--Private/Local	
9	Appropriation	\$487,000
10	Wildlife Rehabilitation Account--State Appropriation	\$270,000
11	Regional Fisheries Salmonid Recovery Account--	
12	Federal Appropriation	\$5,001,000
13	Oil Spill Prevention Account--State Appropriation	\$892,000
14	Oyster Reserve Land Account--State Appropriation	\$918,000
15	TOTAL APPROPRIATION	\$322,070,000

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

18 (1) \$294,000 of the aquatic lands enhancement account--state
19 appropriation is provided solely for the implementation of hatchery
20 reform recommendations defined by the hatchery scientific review group.

21 (2) \$355,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$422,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for the department to implement a
24 pilot project with the Confederated Tribes of the Colville Reservation
25 to develop expanded recreational fishing opportunities on Lake Rufus
26 Woods and its northern shoreline and to conduct joint enforcement of
27 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to
28 state and tribal intergovernmental agreements developed under the
29 Columbia River water supply program. For the purposes of the pilot
30 project:

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

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

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

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

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

9 (3) Prior to submitting its 2011-2013 biennial operating and
10 capital budget request related to state fish hatcheries to the office
11 of financial management, the department shall contract with the
12 hatchery scientific review group (HSRG) to review this request. This
13 review shall: (a) Determine if the proposed requests are consistent
14 with HSRG recommendations; (b) prioritize the components of the
15 requests based on their contributions to protecting wild salmonid
16 stocks and meeting the recommendations of the HSRG; and (c) evaluate
17 whether the proposed requests are being made in the most cost effective
18 manner. The department shall provide a copy of the HSRG review to the
19 office of financial management with their agency budget proposal.

20 (4) Within existing funds, the department shall continue
21 implementing its capital program action plan dated September 1, 2007,
22 including the purchase of the necessary maintenance and support costs
23 for the capital programs and engineering tools. The department shall
24 report to the office of financial management and the appropriate
25 committees of the legislature, its progress in implementing the plan,
26 including improvements instituted in its capital program, by September
27 30, 2011.

28 (5) \$66,000 of the state wildlife account--state appropriation is
29 provided solely to implement Substitute House Bill No. 1972 (outdoor
30 recreation info). If the bill is not enacted by June 30, 2009, the
31 amount provided in this subsection shall lapse.

32 (6) \$107,000 of the state wildlife account--state appropriation is
33 provided solely to implement Substitute House Bill No. 1838 (Spirit
34 Lake trout fishery). If the bill is not enacted by June 30, 2009, the
35 amount provided in this subsection shall lapse.

36 (7) \$1,109,000 of the state wildlife account--state appropriation
37 is provided solely to implement Substitute House Bill No. 1778 (fish

1 and wildlife). If the bill is not enacted by June 30, 2009, the amount
2 provided in this subsection shall lapse.

3 (8) The department shall continue to operate the Voight Creek
4 hatchery during the 2009-11 biennium.

5 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES**

6	General Fund--State Appropriation (FY 2010)	\$39,858,000
7	General Fund--State Appropriation (FY 2011)	\$40,326,000
8	General Fund--Federal Appropriation	\$26,757,000
9	General Fund--Private/Local Appropriation	\$1,373,000
10	Forest Development Account--State Appropriation	\$54,918,000
11	Off Road Vehicle Account--State Appropriation	\$4,274,000
12	Surveys and Maps Account--State Appropriation	\$2,563,000
13	Aquatic Lands Enhancement Account--State	
14	Appropriation	\$7,295,000
15	Resources Management Cost Account--State	
16	Appropriation	\$96,563,000
17	Surface Mining Reclamation Account--State	
18	Appropriation	\$3,517,000
19	Disaster Response Account--State Appropriation	\$5,000,000
20	Forest and Fish Support Account--State Appropriation	\$8,000,000
21	Aquatic Land Dredged Material Disposal Site	
22	Account--State Appropriation	\$1,339,000
23	Natural Resources Conservation Areas Stewardship	
24	Account--State Appropriation	\$34,000
25	State Toxics Control Account--State Appropriation	\$80,000
26	Air Pollution Control Account--State Appropriation	\$572,000
27	NOVA Program Account--State Appropriation	\$982,000
28	Derelict Vessel Removal Account--State Appropriation	\$1,756,000
29	Agricultural College Trust Management Account--	
30	State Appropriation	\$2,659,000
31	TOTAL APPROPRIATION	\$297,866,000

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

34 (1) \$1,355,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$1,299,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for deposit into the agricultural

1 college trust management account and are provided solely to manage
2 approximately 70,700 acres of Washington State University's
3 agricultural college trust lands.

4 (2) \$10,700,000 of the general fund--state appropriation for fiscal
5 year 2010, \$10,700,000 of the general fund--state appropriation for
6 fiscal year 2011, and \$5,000,000 of the disaster response account--
7 state appropriation are provided solely for emergency fire suppression.
8 None of the general fund and disaster response account amounts provided
9 in this subsection may be used to fund agency indirect and
10 administrative expenses. Agency indirect and administrative costs
11 shall be allocated among the agency's remaining accounts and
12 appropriations.

13 (3) \$5,000,000 of the forest and fish support account--state
14 appropriation is provided solely for adaptive management, monitoring,
15 and participation grants to tribes. If federal funding for this
16 purpose is reinstated, the amount provided in this subsection shall
17 lapse.

18 (4) \$600,000 of the derelict vessel removal account--state
19 appropriation is provided solely for removal of derelict and abandoned
20 vessels that have the potential to contaminate Puget Sound.

21 (5) \$666,000 of the general fund--federal appropriation is provided
22 solely to implement House Bill No. 2165 (forest biomass energy
23 project). If the bill is not enacted by June 30, 2009, the amount
24 provided in this subsection shall lapse.

25 (6) \$5,000 of the general fund--state appropriation for fiscal year
26 2010 and \$5,000 of the general fund--state appropriation for fiscal
27 year 2011 are provided solely to implement Substitute House Bill No.
28 1038 (specialized forest products). If the bill is not enacted by June
29 30, 2009, the amounts provided in this subsection shall lapse.

30 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE**

31	General Fund--State Appropriation (FY 2010)	\$12,725,000
32	General Fund--State Appropriation (FY 2011)	\$12,429,000
33	General Fund--Federal Appropriation	\$11,641,000
34	General Fund--Private/Local Appropriation	\$200,000
35	Aquatic Lands Enhancement Account--State	
36	Appropriation	\$2,570,000
37	State Toxics Control Account--State Appropriation	\$4,298,000

1 Water Quality Permit Account--State Appropriation \$63,000
2 TOTAL APPROPRIATION \$43,926,000

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

5 (1) \$350,000 of the aquatic lands enhancement account appropriation
6 is provided solely for funding to the Pacific county noxious weed
7 control board to eradicate remaining spartina in Willipa Bay.

8 (2) \$10,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$6,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely to implement Substitute House Bill
11 No. 1135 (solid waste handling permits). If the bill is not enacted by
12 June 30, 2009, the amounts provided in this subsection shall lapse.

13 (3) The department is authorized to establish or increase the
14 following fees in the 2009-11 biennium as necessary to meet the actual
15 costs of conducting business: Christmas tree grower licensing, nursery
16 dealer licensing, plant pest inspection and testing, and commission
17 merchant testing.

18 NEW SECTION. **Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY**
19 **REINSURANCE PROGRAM**

20 Pollution Liability Insurance Program Trust
21 Account--State Appropriation \$646,000

22 NEW SECTION. **Sec. 311. FOR THE PUGET SOUND PARTNERSHIP**

23 General Fund--State Appropriation (FY 2010) \$2,433,000
24 General Fund--State Appropriation (FY 2011) \$2,393,000
25 General Fund--Federal Appropriation \$3,625,000
26 Aquatic Lands Enhancement Account--State Appropriation \$500,000
27 State Toxics Control Account--State Appropriation \$670,000
28 TOTAL APPROPRIATION \$9,621,000

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

31 Within the amounts appropriated in this section, the Puget Sound
32 partnership shall provide independent advice and assessment of the
33 state's oil spill prevention, preparedness, and response programs to
34 the departments of ecology and fish and wildlife, including review of
35 existing activities and recommendations for any necessary improvements.

1 NEW SECTION. **Sec. 312.** Transfers from natural resource funds in
2 part VIII of this act are intended to support natural resource
3 agencies.

(End of part)

PART IV
TRANSPORTATION

NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING

4	General Fund--State Appropriation (FY 2010)	\$1,600,000
5	General Fund--State Appropriation (FY 2011)	\$1,858,000
6	Architects' License Account--State Appropriation	\$774,000
7	Cemetery Account--State Appropriation	\$245,000
8	Professional Engineers' Account--State Appropriation	\$3,609,000
9	Real Estate Commission Account--State Appropriation	\$10,123,000
10	Master License Account--State Appropriation	\$13,353,000
11	Uniform Commercial Code Account--State Appropriation	\$3,127,000
12	Real Estate Education Account--State Appropriation	\$276,000
13	Real Estate Appraiser Commission Account--State	
14	Appropriation	\$1,352,000
15	Business and Professions Account--State Appropriation	\$12,767,000
16	Real Estate Research Account--State Appropriation	\$320,000
17	Funeral Directors And Embalmers Account--State	
18	Appropriation	\$607,000
19	Geologists' Account--State Appropriation	\$53,000
20	Derelict Vessel Removal Account--State Appropriation	\$31,000
21	TOTAL APPROPRIATION	\$50,095,000

NEW SECTION. Sec. 402. FOR THE STATE PATROL

23	General Fund--State Appropriation (FY 2010)	\$41,338,000
24	General Fund--State Appropriation (FY 2011)	\$40,121,000
25	General Fund--Federal Appropriation	\$11,452,000
26	General Fund--Private/Local Appropriation	\$1,609,000
27	Death Investigations Account--State Appropriation	\$6,084,000
28	Enhanced 911 Account--State Appropriation	\$606,000
29	County Criminal Justice Assistance Account--State	
30	Appropriation	\$3,200,000
31	Municipal Criminal Justice Assistance	
32	Account--State Appropriation	\$1,267,000
33	Fire Service Trust Account--State Appropriation	\$131,000
34	Disaster Response Account--State Appropriation	\$4,002,000
35	Fire Service Training Account--State Appropriation	\$8,743,000

1	Aquatic Invasive Species Enforcement	
2	Account--State Appropriation	\$54,000
3	State Toxics Control Account--State Appropriation	\$507,000
4	Fingerprint Identification Account--State	
5	Appropriation	\$7,441,000
6	TOTAL APPROPRIATION	\$126,555,000

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

9 (1) \$4,000,000 of the disaster response account--state
10 appropriation is provided solely for Washington state fire service
11 resource mobilization costs incurred in response to an emergency or
12 disaster authorized under RCW 43.43.960 and 43.43.964.

13 (2) \$48,000 of the fingerprint identification account--state
14 appropriation is provided solely to implement Substitute House Bill No.
15 1621 (consumer loan companies). If the bill is not enacted by June 30,
16 2009, the amounts provided in this subsection shall lapse.

17 (3) \$400,000 of the fire service training account--state
18 appropriation is provided solely for the firefighter apprenticeship
19 training program.

(End of part)

PART V
EDUCATION

NEW SECTION. **Sec. 501.** **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2010)	\$34,309,000
General Fund--State Appropriation (FY 2011)	\$29,673,000
General Fund--Federal Appropriation	\$77,858,000
TOTAL APPROPRIATION	\$141,840,000

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

(1) A maximum of \$23,498,000 of the general fund--state appropriation for fiscal year 2010 and \$18,860,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) \$11,171,000 of the general fund--state appropriation for fiscal year 2010 and \$10,697,000 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. 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. The students selected for the award must demonstrate understanding through completion of at least one of the classroom-based civics assessment models developed by the superintendent of public instruction, and through leadership in the civic life of their communities. The superintendent shall select two students from eastern Washington and two students from western Washington to receive the award, and shall notify the governor and legislature of the names of the recipients.

(b) \$1,075,000 of the general fund--state appropriation for fiscal year 2010 and \$965,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(c) \$4,293,000 of the general fund--state appropriation for fiscal

1 year 2010 and \$4,293,000 of the general fund--state appropriation for
2 fiscal year 2011 are provided solely to the professional educator
3 standards board for the following:

4 (i) \$1,070,000 in fiscal year 2010 and \$1,070,000 in fiscal year
5 2011 are for the operation and expenses of the Washington professional
6 educator standards board, including administering the alternative
7 routes to certification program, pipeline for paraeducators conditional
8 scholarship loan program, and the retooling to teach math conditional
9 loan program;

10 (ii) \$2,500,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$2,500,000 of the general fund--state appropriation for
12 fiscal year 2011 are for conditional scholarship loans and mentor
13 stipends provided through the alternative routes to certification
14 program administered by the professional educator standards board. Of
15 the amounts provided in this subsection (c):

16 (A) \$500,000 each year is for conditional scholarships to
17 candidates seeking an endorsement in special education, math, science,
18 or bilingual education;

19 (B) \$2,000,000 for fiscal year 2010 and \$2,000,000 for fiscal year
20 2011 are for the expansion of conditional scholarship loans and mentor
21 stipends for individuals enrolled in alternative route state
22 partnership programs and seeking endorsements in math, science, special
23 education or bilingual education;

24 (C) Any remaining amounts in this subsection (c) shall be used to
25 continue existing alternative routes to certification programs; and

26 (D) Candidates seeking math and science endorsements under (A) and
27 (B) of this subsection shall receive priority for funding;

28 (iii) \$231,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$231,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely for the recruiting Washington
31 teachers program;

32 (iv) \$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 provided in this subsection (c) are for \$4,000
35 conditional loan stipends for paraeducators participating in the
36 pipeline for paraeducators program;

37 (v) \$244,000 of the general fund--state appropriation for fiscal
38 year 2010 and \$244,000 of the general fund--state appropriation for

1 fiscal year 2011 are for conditional stipends for certificated teachers
2 pursuing a mathematics or science endorsement under the retooling to
3 teach mathematics or science program. The conditional stipends shall
4 be for endorsement exam fees as well as stipends for teachers who must
5 also complete coursework;

6 (vi) The amounts provided in subsection (1)(c)(ii) of this section
7 reflect savings from the implementation of House Bill No. 2003
8 (changing professional educator standards board provisions); and

9 (vii) Within the amounts provided in subsection (1)(c)(ii) of this
10 section, \$70,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$70,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for the implementation of House
13 Bill No. 1889 (regarding paraeducator tutor certification).

14 (d) \$1,503,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$144,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for replacement of the
17 apportionment system, which includes the processes that collect school
18 district budget and expenditure information, staffing characteristics,
19 and the student enrollments that drive the funding process.

20 (e) \$78,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$78,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely to provide direct services and
23 support to schools around an integrated, interdisciplinary approach to
24 instruction in conservation, natural resources, sustainability, and
25 human adaptation to the environment. Specific integration efforts will
26 focus on science, math, and the social sciences. Integration between
27 basic education and career and technical education, particularly
28 agricultural and natural sciences education, is to be a major element.

29 (f) \$1,227,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$1,227,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided solely for the creation of a statewide
32 data base of longitudinal student information. This amount is
33 conditioned on the department satisfying the requirements in section
34 902 of this act.

35 (g) \$100,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$100,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely to promote the financial literacy

1 of students. The effort will be coordinated through the financial
2 education public-private partnership.

3 (h) \$98,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$98,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely to support a full-time director of
6 skills centers within the office of the superintendent of public
7 instruction.

8 (i) To the maximum extent possible, in adopting new agency rules or
9 making any changes to existing rules or policies related to the fiscal
10 provisions in the administration of part V of this act, the office of
11 the superintendent of public instruction shall attempt to request
12 approval through the normal legislative budget process.

13 (j) \$136,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$136,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the office of superintendent
16 of public instruction to assign at least one full-time equivalent staff
17 position to serve as the world language supervisor.

18 (k) \$2,173,000 of the general fund--state appropriation for fiscal
19 year 2010 is provided solely to the office of the superintendent of
20 public instruction to provide one-time fund balance stabilization
21 grants to school districts experiencing financial difficulty. School
22 districts with 500 or more students must have a total fund balance
23 lower than two percent to qualify for a grant, and school districts
24 with fewer than 500 students must have a total fund balance lower than
25 five percent to qualify for a grant. Using the full amount provided,
26 the office of the superintendent of public instructional shall allocate
27 these funds to eligible districts in a manner that restores total fund
28 balances to the two percent and five percent fund balance targets to
29 the extent possible in a proportional manner, based on 2007-2008 school
30 year financial data as reflected in F-196 reports.

31 (l) \$44,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$45,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for the implementation of House
34 Bill No. 1075 (enacting the interstate compact on educational
35 opportunity for military children).

36 (m) \$1,819,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$1,181,000 of the general fund--state appropriation for
38 fiscal year 2011 are provided solely for the implementation of

1 Substitute House Bill No. 2261. The funding supports preparation for
2 the implementation of a new funding formula and accounting system,
3 including convening and staffing costs for technical working groups and
4 funding for reprogramming apportionment and accounting information
5 systems at the office of the superintendent of public instruction.

6 (n) \$982,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$982,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely to the office of the
9 superintendent of public instruction to convert educator certification
10 procedures to an online process.

11 (2) \$8,883,000 of the general fund--state appropriation for fiscal
12 year 2010, \$8,883,000 of the general fund--state appropriation for
13 fiscal year 2011, and \$55,890,000 of the general fund--federal
14 appropriation are for statewide programs.

15 (a) HEALTH AND SAFETY

16 (i) \$2,541,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$2,541,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for a corps of nurses located at
19 educational service districts, as determined by the superintendent of
20 public instruction, to be dispatched to the most needy schools to
21 provide direct care to students, health education, and training for
22 school staff.

23 (ii) \$100,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$100,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely for a school safety training
26 program provided by the criminal justice training commission. The
27 commission, in collaboration with the school safety center advisory
28 committee, shall provide the school safety training for all school
29 administrators and school safety personnel, including school safety
30 personnel hired after the effective date of this section.

31 (iii) \$9,670,000 of the general fund--federal appropriation is
32 provided for safe and drug free schools and communities grants for drug
33 and violence prevention activities and strategies.

34 (iv) \$96,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$96,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for the school safety center in
37 the office of the superintendent of public instruction subject to the
38 following conditions and limitations:

1 (A) The safety center shall: Disseminate successful models of
2 school safety plans and cooperative efforts; provide assistance to
3 schools to establish a comprehensive safe school plan; select models of
4 cooperative efforts that have been proven successful; act as an
5 information dissemination and resource center when an incident occurs
6 in a school district either in Washington or in another state;
7 coordinate activities relating to school safety; review and approve
8 manuals and curricula used for school safety models and training; and
9 develop and maintain a school safety information web site.

10 (B) The school safety center advisory committee shall develop a
11 training program, using the best practices in school safety, for all
12 school safety personnel.

13 (b) TECHNOLOGY

14 (i) \$1,939,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$1,939,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for K-20 telecommunications
17 network technical support in the K-12 sector to prevent system failures
18 and avoid interruptions in school utilization of the data processing
19 and video-conferencing capabilities of the network. These funds may be
20 used to purchase engineering and advanced technical support for the
21 network.

22 (ii) \$700,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$700,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for the operational expenses of
25 the digital learning commons.

26 (c) GRANTS AND ALLOCATIONS

27 (i) \$1,329,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$1,329,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely to expand the special services
30 pilot project to include up to seven participating districts. The
31 office of the superintendent of public instruction shall allocate these
32 funds to the district or districts participating in the pilot program
33 according to the provisions of RCW 28A.630.016.

34 (ii) \$800,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$800,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for the Washington state achievers
37 scholarship program. The funds shall be used to support community

1 involvement officers that recruit, train, and match community volunteer
2 mentors with students selected as achievers scholars.

3 (iii) \$37,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$38,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for developing and disseminating
6 curriculum and other materials documenting women's role in World War
7 II.

8 (iv) \$175,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$175,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for incentive grants for districts
11 and pilot projects to develop preapprenticeship programs. Incentive
12 grant awards up to \$10,000 each shall be used to support the program's
13 design, school/business/labor agreement negotiations, and recruiting
14 high school students for preapprenticeship programs in the building
15 trades and crafts.

16 (v) \$250,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$250,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for statewide coordination and
19 technical support for implementation of Navigation 101 programs.

20 (vi) \$1,250,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$1,250,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for implementation of a statewide
23 program for comprehensive dropout prevention, intervention, and
24 retrieval.

25 (vii) \$62,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$63,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely for program initiatives to address
28 the educational needs of Latino students and families. Using the full
29 amounts of the appropriations under this subsection, the office of the
30 superintendent of public instruction shall contract with the Seattle
31 community coalition of compana quetzal to provide for three
32 initiatives: (A) Early childhood education; (B) parent leadership
33 training; and (C) high school success and college preparation programs.

34 (viii) \$150,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$150,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for a pilot project to encourage
37 bilingual high school students to pursue public school teaching as a
38 profession. Using the full amounts of the appropriation under this

1 (ii)(A) Fifty-three and two-tenths certificated instructional staff
2 units per thousand full-time equivalent students in grades K-4 for
3 districts that enroll fewer than 25 percent of their total full-time
4 equivalent student enrollment in grades K-4 in digital or online
5 learning programs defined in WAC 392-121-182.

6 (B) All other districts shall be allocated a minimum of forty-nine
7 certificated instructional staff units per 1,000 full-time equivalent
8 students in grades K-4, and shall be allocated up to an additional four
9 and two-tenths instructional staff units per 1,000 students in grades
10 K-4 to the extent the district documents an actual staffing ratio in
11 grades K-4 that exceeds forty-nine certificated instructional staff per
12 1,000 full-time equivalent students; and

13 (iii) Forty-six certificated instructional staff units per thousand
14 full-time equivalent students in grades 5-12;

15 (b) For school districts with a minimum enrollment of 250 full-time
16 equivalent students whose full-time equivalent student enrollment count
17 in a given month exceeds the first of the month full-time equivalent
18 enrollment count by 5 percent, an additional state allocation of 110
19 percent of the share that such increased enrollment would have
20 generated had such additional full-time equivalent students been
21 included in the normal enrollment count for that particular month;

22 (c)(i) On the basis of full-time equivalent enrollment in:

23 (A) Vocational education programs approved by the superintendent of
24 public instruction, a maximum of 0.92 certificated instructional staff
25 units and 0.08 certificated administrative staff units for each 19.5
26 full-time equivalent vocational students; and

27 (B) Skills center programs meeting the standards for skills center
28 funding established in January 1999 by the superintendent of public
29 instruction with a waiver allowed for skills centers in current
30 operation that are not meeting this standard until the 2010-11 school
31 year, 0.92 certificated instructional staff units and 0.08 certificated
32 administrative units for each 16.67 full-time equivalent vocational
33 students;

34 (ii) Vocational full-time equivalent enrollment shall be reported
35 on the same monthly basis as the enrollment for students eligible for
36 basic support, and payments shall be adjusted for reported vocational
37 enrollments on the same monthly basis as those adjustments for
38 enrollment for students eligible for basic support; and

1 (iii) Indirect cost charges by a school district to vocational-
2 secondary programs shall not exceed 15 percent of the combined basic
3 education and vocational enhancement allocations of state funds;

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

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

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

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

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

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

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

36 (i) For remote and necessary schools enrolling students in any
37 grades 9-12 but no more than twenty-five average annual full-time

1 equivalent students in grades K-12, four and one-half certificated
2 instructional staff units and one-quarter of a certificated
3 administrative staff unit;

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

11 Units calculated under (f)(ii) of this subsection shall be reduced
12 by certificated staff units at the rate of forty-six certificated
13 instructional staff units and four certificated administrative staff
14 units per thousand vocational full-time equivalent students;

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

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

25 (3) Allocations for classified salaries for the 2009-10 and 2010-11
26 school years shall be calculated using formula-generated classified
27 staff units determined as follows:

28 (a) For enrollments generating certificated staff unit allocations
29 under subsection (2)(e) through (h) of this section, one classified
30 staff unit for each 2.94 certificated staff units allocated under such
31 subsections;

32 (b) For all other enrollment in grades K-12, including vocational
33 full-time equivalent enrollments, one classified staff unit for each
34 58.75 average annual full-time equivalent students; and

35 (c) For each nonhigh school district with an enrollment of more
36 than fifty annual average full-time equivalent students and less than
37 one hundred eighty students, an additional one-half of a classified
38 staff unit.

1 (4) Fringe benefit allocations shall be calculated at a rate of
2 15.13 percent in the 2009-10 school year and 15.13 percent in the 2010-
3 11 school year for certificated salary allocations provided under
4 subsection (2) of this section, and a rate of 17.01 percent in the
5 2009-10 school year and 17.01 percent in the 2010-11 school year for
6 classified salary allocations provided under subsection (3) of this
7 section.

8 (5) Insurance benefit allocations shall be calculated at the
9 maintenance rate specified in section 504(2) of this act, based on the
10 number of benefit units determined as follows:

11 (a) The number of certificated staff units determined in subsection
12 (2) of this section; and

13 (b) The number of classified staff units determined in subsection
14 (3) of this section multiplied by 1.152. This factor is intended to
15 adjust allocations so that, for the purposes of distributing insurance
16 benefits, full-time equivalent classified employees may be calculated
17 on the basis of 1440 hours of work per year, with no individual
18 employee counted as more than one full-time equivalent.

19 (6)(a) For nonemployee-related costs associated with each
20 certificated staff unit allocated under subsection (2)(a), (b), and (d)
21 through (g) of this section, there shall be provided a maximum of
22 \$10,179 per certificated staff unit in the 2009-10 school year and a
23 maximum of \$10,465 per certificated staff unit in the 2010-11 school
24 year.

25 (b) For nonemployee-related costs associated with each vocational
26 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
27 section, there shall be provided a maximum of \$24,999 per certificated
28 staff unit in the 2009-10 school year and a maximum of \$25,499 per
29 certificated staff unit in the 2010-11 school year.

30 (c) For nonemployee-related costs associated with each vocational
31 certificated staff unit allocated under subsection (2)(c)(i)(B) of this
32 section, there shall be provided a maximum of \$19,395 per certificated
33 staff unit in the 2009-10 school year and a maximum of \$19,783 per
34 certificated staff unit in the 2010-11 school year.

35 (7) Allocations for substitute costs for classroom teachers shall
36 be distributed at a maintenance rate of \$607.44 for the 2009-10 and
37 2010-11 school years per allocated classroom teachers exclusive of
38 salary increase amounts provided in section 504 of this act. Solely

1 for the purposes of this subsection, allocated classroom teachers shall
2 be equal to the number of certificated instructional staff units
3 allocated under subsection (2) of this section, multiplied by the ratio
4 between the number of actual basic education certificated teachers and
5 the number of actual basic education certificated instructional staff
6 reported statewide for the prior school year.

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

16 (9) Funding in this section is sufficient to provide additional
17 service year credits to educational staff associates pursuant to
18 chapter 403, Laws of 2007.

19 (10)(a) The superintendent may distribute a maximum of \$11,367,000
20 outside the basic education formula during fiscal years 2010 and 2011
21 as follows:

22 (i) For fire protection for school districts located in a fire
23 protection district as now or hereafter established pursuant to chapter
24 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010
25 and a maximum of \$578,000 may be expended in fiscal year 2011;

26 (ii) For summer vocational programs at skills centers, a maximum of
27 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of
28 \$2,385,000 for the 2011 fiscal year. 20 percent of each fiscal year
29 amount may carry over from one year to the next;

30 (iii) A maximum of \$404,000 may be expended for school district
31 emergencies; and

32 (iv) A maximum of \$485,000 each fiscal year may be expended for
33 programs providing skills training for secondary students who are
34 enrolled in extended day school-to-work programs, as approved by the
35 superintendent of public instruction. The funds shall be allocated at
36 a rate not to exceed \$500 per full-time equivalent student enrolled in
37 those programs.

1 (b) Funding in this section is sufficient to fund a maximum of 1.6
2 FTE enrollment for skills center students pursuant to chapter 463, Laws
3 of 2007.

4 (11) For purposes of RCW 84.52.0531, the increase per full-time
5 equivalent student is 4.0 percent from the 2008-09 school year to the
6 2009-10 school year and 4.0 percent from the 2009-10 school year to the
7 2010-11 school year.

8 (12) If two or more school districts consolidate and each district
9 was receiving additional basic education formula staff units pursuant
10 to subsection (2)(b) through (g) of this section, the following shall
11 apply:

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

16 (b) For the fourth through eighth school years following
17 consolidation, the difference between the basic education formula staff
18 units received by the districts for the school year prior to
19 consolidation and the basic education formula staff units after
20 consolidation pursuant to subsection (2)(a) through (h) of this section
21 shall be reduced in increments of twenty percent per year.

22 (13) Funding in this section is sufficient to implement Substitute
23 House Bill No. 1418 (establishing a statewide dropout reengagement
24 system). The funding levels reflect an assumption that 500 high school
25 drop-outs will be reengaged in the school system by the end of the
26 2011-12 school year.

27 NEW SECTION. **Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC**
28 **INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION.** (1) The following
29 calculations determine the salaries used in the general fund
30 allocations for certificated instructional, certificated
31 administrative, and classified staff units under section 502 of this
32 act:

33 (a) Salary allocations for certificated instructional staff units
34 shall be determined for each district by multiplying the district's
35 certificated instructional total base salary shown on LEAP Document 2
36 by the district's average staff mix factor for certificated

1 instructional staff in that school year, computed using LEAP Document
2 1; and

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

7 (2) For the purposes of this section:

8 (a) "LEAP Document 1" means the staff mix factors for certificated
9 instructional staff according to education and years of experience, as
10 developed by the legislative evaluation and accountability program
11 committee on March 26, 2009, at 15:33 hours; and

12 (b) "LEAP Document 2" means the school year salary allocations for
13 certificated administrative staff and classified staff and derived and
14 total base salaries for certificated instructional staff as developed
15 by the legislative evaluation and accountability program committee on
16 March 26, 2009, at 15:33 hours.

17 (3) Incremental fringe benefit factors shall be applied to salary
18 adjustments at a rate of 15.13 percent for school year 2009-10 and
19 15.13 percent for school year 2010-11 for certificated staff and for
20 classified staff 17.01 percent for school year 2009-10 and 17.01
21 percent for the 2010-11 school year.

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

25 Table Of Total Base Salaries For Certificated Instructional Staff
26 For School Year 2009-10

27	Years of									
28	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
29	0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
30	1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
31	2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
32	3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
33	4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
34	5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
35	6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
36	7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713

1	8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
2	9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
3	10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
4	11				46,772	50,121	52,557	50,249	53,599	56,034
5	12				48,249	51,761	54,269	51,835	55,238	57,748
6	13					53,440	56,024	53,476	56,918	59,501
7	14					55,128	57,844	55,165	58,716	61,322
8	15					56,563	59,349	56,599	60,242	62,917
9	16 or more					57,693	60,535	57,731	61,447	64,174

10 Table Of Total Base Salaries For Certificated Instructional Staff
11 For School Year 2010-11

12	Years of										MA+90
13	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	or PHD	
14	0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860	
15	1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332	
16	2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802	
17	3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276	
18	4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765	
19	5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256	
20	6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723	
21	7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713	
22	8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228	
23	9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788	
24	10			43,635	45,247	48,524	50,913	48,724	52,003	54,390	
25	11				46,772	50,121	52,557	50,249	53,599	56,034	
26	12				48,249	51,761	54,269	51,835	55,238	57,748	
27	13					53,440	56,024	53,476	56,918	59,501	
28	14					55,128	57,844	55,165	58,716	61,322	
29	15					56,563	59,349	56,599	60,242	62,917	
30	16 or more					57,693	60,535	57,731	61,447	64,174	

31 (b) As used in this subsection, the column headings "BA+(N)" refer
32 to the number of credits earned since receiving the baccalaureate
33 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 salary allocation schedules established in this section are
26 for allocation purposes only except as provided in RCW 28A.400.200(2).

27 NEW SECTION. **Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC**
28 **INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

29 General Fund--State Appropriation (FY 2010) (\$25,362,000)
30 General Fund--State Appropriation (FY 2011) (\$31,716,000)
31 TOTAL APPROPRIATION (\$57,078,000)

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

34 (1)(a) Additional salary adjustments as necessary to fund the base
35 salaries for certificated instructional staff as listed for each
36 district in LEAP Document 2, defined in section 503(2)(b) of this act.
37 Allocations for these salary adjustments shall be provided to all

1 districts that are not grandfathered to receive salary allocations
2 above the statewide salary allocation schedule, and to certain
3 grandfathered districts to the extent necessary to ensure that salary
4 allocations for districts that are currently grandfathered do not fall
5 below the statewide salary allocation schedule.

6 (b) Additional salary adjustments to certain districts as necessary
7 to fund the per full-time-equivalent salary allocations for
8 certificated administrative staff as listed for each district in LEAP
9 Document 2, defined in section 503(2)(b) of this act. These
10 adjustments shall ensure a minimum salary allocation for certificated
11 administrative staff of \$57,986 in the 2009-10 school year and \$57,986
12 in the 2010-11 school year.

13 (c) Additional salary adjustments to certain districts as necessary
14 to fund the per full-time-equivalent salary allocations for classified
15 staff as listed for each district in LEAP Document 2, defined in
16 section 503(2)(b) of this act. These salary adjustments ensure a
17 minimum salary allocation for classified staff of \$31,865 in the 2009-
18 10 school year and \$31,865 in the 2010-11 school year.

19 (d) The appropriations in this subsection (1) include associated
20 incremental fringe benefit allocations at rates 14.49 percent for the
21 2009-10 school year and 14.49 percent for the 2010-11 school year for
22 certificated staff and 13.51 percent for the 2009-10 school year and
23 13.51 percent for the 2010-11 school year for classified staff.

24 (e) The appropriations in this section and section 519(1) of this
25 act include the increased or decreased portion of salaries and
26 incremental fringe benefits for all relevant state-funded school
27 programs in part V of this act. Changes for general apportionment
28 (basic education) are based on the salary allocation schedules and
29 methodology in sections 502 and 503 of this act. Changes for special
30 education result from changes in each district's basic education
31 allocation per student. Changes for educational service districts and
32 institutional education programs are determined by the superintendent
33 of public instruction using the methodology for general apportionment
34 salaries and benefits in sections 502 and 503 of this act.

35 (f) The office of the superintendent of public instruction and the
36 office of financial management shall calculate the per formula student
37 rate changes for the highly capable program, the transitional bilingual
38 education program, and the learning assistance program, and the per

1 weighted mile rate change for the pupil transportation program, based
2 on the compensation changes reflected in this section as well as the
3 pension rate changes contained in section 715 of this act.

4 (g) The appropriations in this section include no salary
5 adjustments for substitute teachers.

6 (2) \$79,060,000 is provided in section 519(2) of this act for
7 adjustments to insurance benefit allocations. The maintenance rate for
8 insurance benefit allocations is \$732.00 per month for the 2009-10 and
9 2010-11 school years. The appropriations in this section provide for
10 a rate increase to \$758.00 per month for the 2009-10 school year and
11 \$793.00 per month for the 2010-11 school year.

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

14 NEW SECTION. **Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC**
15 **INSTRUCTION--FOR PUPIL TRANSPORTATION**

16	General Fund--State Appropriation (FY 2010)	\$310,172,000
17	General Fund--State Appropriation (FY 2011)	\$310,727,000
18	TOTAL APPROPRIATION	\$620,899,000

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

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

24 (2) A maximum of \$878,000 of this fiscal year 2010 appropriation
25 and a maximum of \$896,000 of the fiscal year 2011 appropriation may be
26 expended for regional transportation coordinators and related
27 activities. The transportation coordinators shall ensure that data
28 submitted by school districts for state transportation funding shall,
29 to the greatest extent practical, reflect the actual transportation
30 activity of each district.

31 (3) Allocations for transportation of students shall be based on
32 reimbursement rates of \$48.25 per weighted mile in the 2009-10 school
33 year and \$48.53 per weighted mile in the 2010-11 school year exclusive
34 of salary and benefit adjustments provided in section 504 of this act.
35 Allocations for transportation of students transported more than one
36 radius mile shall be based on weighted miles as determined by
37 superintendent of public instruction multiplied by the per mile

1 year 2010 and \$100,000 of the 2011 fiscal year appropriation are
2 provided for summer food programs for children in low-income areas.

3 (3) \$59,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$59,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely to reimburse school districts for
6 school breakfasts served to students enrolled in the free or reduced
7 price meal program pursuant to chapter 287, Laws of 2005 (requiring
8 school breakfast programs in certain schools).

9 NEW SECTION. **Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC**
10 **INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS**

11	General Fund--State Appropriation (FY 2010)	\$655,432,000
12	General Fund--State Appropriation (FY 2011)	\$670,774,000
13	General Fund--Federal Appropriation	\$611,781,000
14	Education Legacy Trust Account--State	
15	Appropriation	\$756,000
16	TOTAL APPROPRIATION	\$1,938,743,000

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

19 (1) Funding for special education programs is provided on an excess
20 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
21 that special education students as a class receive their full share of
22 the general apportionment allocation accruing through sections 502 and
23 504 of this act. To the extent a school district cannot provide an
24 appropriate education for special education students under chapter
25 28A.155 RCW through the general apportionment allocation, it shall
26 provide services through the special education excess cost allocation
27 funded in this section.

28 (2)(a) The superintendent of public instruction shall ensure that:
29 (i) Special education students are basic education students first;
30 (ii) As a class, special education students are entitled to the
31 full basic education allocation; and
32 (iii) Special education students are basic education students for
33 the entire school day.

34 (b) The superintendent of public instruction shall adopt the full
35 cost method of excess cost accounting, as designed by the committee and
36 recommended by the superintendent, pursuant to section 501(1)(k),
37 chapter 372, Laws of 2006.

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

4 (4) The superintendent of public instruction shall distribute state
5 funds to school districts based on two categories: (a) The first
6 category includes (i) children birth through age two who are eligible
7 for the optional program for special education eligible developmentally
8 delayed infants and toddlers, and (ii) students eligible for the
9 mandatory special education program and who are age three or four, or
10 five and not yet enrolled in kindergarten; and (b) the second category
11 includes students who are eligible for the mandatory special education
12 program and who are age five and enrolled in kindergarten and students
13 age six through 21.

14 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent
15 shall make allocations to each district based on the sum of:

16 (i) A district's annual average headcount enrollment of students
17 ages birth through four and those five year olds not yet enrolled in
18 kindergarten, as defined in subsection (4) of this section, multiplied
19 by the district's average basic education allocation per full-time
20 equivalent student, multiplied by 1.15; and

21 (ii) A district's annual average full-time equivalent basic
22 education enrollment multiplied by the funded enrollment percent
23 determined pursuant to subsection (6)(b) of this section, multiplied by
24 the district's average basic education allocation per full-time
25 equivalent student multiplied by 0.9309.

26 (b) For purposes of this subsection, "average basic education
27 allocation per full-time equivalent student" for a district shall be
28 based on the staffing ratios required by RCW 28A.150.260 and shall not
29 include enhancements, secondary vocational education, or small schools.

30 (6) The definitions in this subsection apply throughout this
31 section.

32 (a) "Annual average full-time equivalent basic education
33 enrollment" means the resident enrollment including students enrolled
34 through choice (RCW 28A.225.225) and students from nonhigh districts
35 (RCW 28A.225.210) and excluding students residing in another district
36 enrolled as part of an interdistrict cooperative program (RCW
37 28A.225.250).

1 (b) "Enrollment percent" means the district's resident special
2 education annual average enrollment, excluding the birth through age
3 four enrollment and those five year olds not yet enrolled in
4 kindergarten, as a percent of the district's annual average full-time
5 equivalent basic education enrollment.

6 Each district's general fund--state funded special education
7 enrollment shall be the lesser of the district's actual enrollment
8 percent or 12.7 percent.

9 (7) At the request of any interdistrict cooperative of at least 15
10 districts in which all excess cost services for special education
11 students of the districts are provided by the cooperative, the maximum
12 enrollment percent shall be calculated in accordance with subsection
13 (6)(b) of this section, and shall be calculated in the aggregate rather
14 than individual district units. For purposes of this subsection, the
15 average basic education allocation per full-time equivalent student
16 shall be calculated in the aggregate rather than individual district
17 units.

18 (8) To the extent necessary, \$73,668,000 of the general fund--state
19 appropriation and \$29,574,000 of the general fund--federal
20 appropriation are provided for safety net awards for districts with
21 demonstrated needs for special education funding beyond the amounts
22 provided in subsection (5) of this section. If the federal safety net
23 awards based on the federal eligibility threshold exceed the federal
24 appropriation in this subsection (8) in any fiscal year, the
25 superintendent shall expend all available federal discretionary funds
26 necessary to meet this need. Safety net funds shall be awarded by the
27 state safety net oversight committee subject to the following
28 conditions and limitations:

29 (a) The committee shall consider unmet needs for districts that can
30 convincingly demonstrate that all legitimate expenditures for special
31 education exceed all available revenues from state funding formulas.
32 In the determination of need, the committee shall also consider
33 additional available revenues from federal sources. Differences in
34 program costs attributable to district philosophy, service delivery
35 choice, or accounting practices are not a legitimate basis for safety
36 net awards. In the determination of need, the committee shall require
37 that districts demonstrate that they are maximizing their eligibility
38 for all state revenues related to services for special

1 education-eligible students and all federal revenues from federal
2 impact aid, medicaid, and individuals with disabilities education act-
3 part B and appropriate special projects. Awards associated with (b)
4 and (c) of this subsection shall not exceed the total of a district's
5 specific determination of need.

6 (b) The committee shall then consider the extraordinary high cost
7 needs of one or more individual special education students.
8 Differences in costs attributable to district philosophy, service
9 delivery choice, or accounting practices are not a legitimate basis for
10 safety net awards.

11 (c) Using criteria developed by the committee, the committee shall
12 then consider extraordinary costs associated with communities that draw
13 a larger number of families with children in need of special education
14 services, which may include consideration of proximity to group homes,
15 military bases, and regional hospitals. The safety net awards to
16 school districts shall be adjusted to reflect amounts awarded under (b)
17 of this subsection.

18 (d) The maximum allowable indirect cost for calculating safety net
19 eligibility may not exceed the federal restricted indirect cost rate
20 for the district plus one percent.

21 (e) Safety net awards must be adjusted for any audit findings or
22 exceptions related to special education funding.

23 (f) Safety net awards shall be adjusted based on the percent of
24 potential medicaid eligible students billed as calculated by the
25 superintendent in accordance with chapter 318, Laws of 1999. The state
26 safety net oversight committee shall ensure that safety net
27 documentation and awards are based on current medicaid revenue amounts.

28 (9) The superintendent of public instruction may adopt such rules
29 and procedures as are necessary to administer the special education
30 funding and safety net award process. Prior to revising any standards,
31 procedures, or rules, the superintendent shall consult with the office
32 of financial management and the fiscal committees of the legislature.

33 (10) The safety net oversight committee appointed by the
34 superintendent of public instruction shall consist of:

35 (a) One staff from the office of superintendent of public
36 instruction;

37 (b) Staff of the office of the state auditor who shall be nonvoting
38 members of the committee; and

1 (c) One or more representatives from school districts or
2 educational service districts knowledgeable of special education
3 programs and funding.

4 (11) The office of the superintendent of public instruction shall
5 review and streamline the application process to access safety net
6 funds, provide technical assistance to school districts, and annually
7 survey school districts regarding improvement to the process.

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

13 (13) A maximum of \$1,000,000 of the general fund--federal
14 appropriation is provided for projects to provide special education
15 students with appropriate job and independent living skills, including
16 work experience where possible, to facilitate their successful
17 transition out of the public school system. The funds provided by this
18 subsection shall be from federal discretionary grants.

19 (14) The superintendent shall maintain the percentage of federal
20 flow-through to school districts at 85 percent. In addition to other
21 purposes, school districts may use increased federal funds for high-
22 cost students, for purchasing regional special education services from
23 educational service districts, and for staff development activities
24 particularly relating to inclusion issues.

25 (15) A maximum of \$1,200,000 of the general fund--federal
26 appropriation may be expended by the superintendent for projects
27 related to use of inclusion strategies by school districts for
28 provision of special education services.

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

33 (17) \$262,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$251,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for two additional full-time
36 equivalent staff to support the work of the safety net committee and to
37 provide training and support to districts applying for safety net
38 awards.

1	General Fund--State Appropriation (FY 2011)	\$249,187,000
2	General Fund--Federal Appropriation	\$18,362,000
3	TOTAL APPROPRIATION	\$489,494,000

4 NEW SECTION. **Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC**
5 **INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS**

6	General Fund--State Appropriation (FY 2010)	\$19,491,000
7	General Fund--State Appropriation (FY 2011)	\$18,756,000
8	TOTAL APPROPRIATION	\$38,247,000

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

11 (1) Each general fund--state fiscal year appropriation includes
12 such funds as are necessary to complete the school year ending in the
13 fiscal year and for prior fiscal year adjustments.

14 (2) State funding provided under this section is based on salaries
15 and other expenditures for a 220-day school year. The superintendent
16 of public instruction shall monitor school district expenditure plans
17 for institutional education programs to ensure that districts plan for
18 a full-time summer program.

19 (3) State funding for each institutional education program shall be
20 based on the institution's annual average full-time equivalent student
21 enrollment. Staffing ratios for each category of institution shall
22 remain the same as those funded in the 1995-97 biennium.

23 (4) The funded staffing ratios for education programs for juveniles
24 age 18 or less in department of corrections facilities shall be the
25 same as those provided in the 1997-99 biennium.

26 (5) \$329,908 of the general fund--state appropriation for fiscal
27 year 2010 and \$329,908 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely to maintain at least one
29 certificated instructional staff and related support services at an
30 institution whenever the K-12 enrollment is not sufficient to support
31 one full-time equivalent certificated instructional staff to furnish
32 the educational program. The following types of institutions are
33 included: Residential programs under the department of social and
34 health services for developmentally disabled juveniles, programs for
35 juveniles under the department of corrections, and programs for
36 juveniles under the juvenile rehabilitation administration.

1 (6) Ten percent of the funds allocated for each institution may be
2 carried over from one year to the next.

3 NEW SECTION. **Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC**
4 **INSTRUCTION--FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

5	General Fund--State Appropriation (FY 2010)	\$9,484,000
6	General Fund--State Appropriation (FY 2011)	\$9,548,000
7	TOTAL APPROPRIATION	\$19,032,000

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

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

13 (2) Allocations for school district programs for highly capable
14 students shall be distributed at a maximum rate of \$402.87 per funded
15 student for the 2009-10 school year and \$402.87 per funded student for
16 the 2010-11 school year, exclusive of salary and benefit adjustments
17 pursuant to section 504 of this act. The number of funded students
18 shall be a maximum of 2.314 percent of each district's full-time
19 equivalent basic education enrollment.

20 (3) \$90,000 of the fiscal year 2010 appropriation and \$90,000 of
21 the fiscal year 2011 appropriation are provided for the Washington
22 destination imagination network and future problem-solving programs.

23 NEW SECTION. **Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC**
24 **INSTRUCTION--FOR MISCELLANEOUS PURPOSES UNDER THE ELEMENTARY AND**
25 **SECONDARY SCHOOL IMPROVEMENT ACT AND THE NO CHILD LEFT BEHIND ACT**

26	General Fund--Federal Appropriation	\$43,450,000
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27 NEW SECTION. **Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC**
28 **INSTRUCTION--EDUCATION REFORM PROGRAMS**

29	General Fund--State Appropriation (FY 2010)	\$89,582,000
30	General Fund--State Appropriation (FY 2011)	\$99,951,000
31	General Fund--Federal Appropriation	\$204,096,000
32	Education Legacy Trust Account--State	
33	Appropriation	\$96,417,000
34	TOTAL APPROPRIATION	\$490,046,000

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

3 (1) \$36,255,000 of the general fund--state appropriation for fiscal
4 year 2010, \$36,434,000 of the general fund--state appropriation for
5 fiscal year 2011, \$1,350,000 of the education legacy trust
6 account--state appropriation, and \$15,868,000 of the general fund--
7 federal appropriation are provided solely for development and
8 implementation of the Washington assessments of student learning
9 (WASL), including: (i) Development and implementation of retake
10 assessments for high school students who are not successful in one or
11 more content areas of the WASL; and (ii) development and implementation
12 of alternative assessments or appeals procedures to implement the
13 certificate of academic achievement. The superintendent of public
14 instruction shall report quarterly on the progress on development and
15 implementation of alternative assessments or appeals procedures.
16 Within these amounts, the superintendent of public instruction shall
17 contract for the early return of 10th grade student WASL results, on or
18 around June 10th of each year.

19 (2) \$1,969,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$1,749,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely for the design of the state
22 assessment system and the implementation of and end of course
23 assessments for high school math.

24 (3) \$1,014,000 of the education legacy trust account appropriation
25 is provided solely for allocations to districts for salaries and
26 benefits for the equivalent of two additional professional development
27 days for fourth and fifth grade teachers during the 2008-2009 school
28 year. The allocations shall be made based on the calculations of
29 certificated instructional staff units for fourth and fifth grade
30 provided in section 502 of this act and on the calculations of
31 compensation provided in sections 503 and 504 of this act. Districts
32 may use the funding to support additional days for professional
33 development as well as job-embedded forms of professional development.

34 (4) \$3,241,000 of the education legacy trust fund appropriation is
35 provided solely for allocations to districts for salaries and benefits
36 for the equivalent of three additional professional development days
37 for middle and high school math and science teachers during the 2008-
38 2009 school year, as well as specialized training for one math and

1 science teacher in each middle school and high school during the 2008-
2 2009 school year. Districts may use the funding to support additional
3 days for professional development as well as job-embedded forms of
4 professional development.

5 (5) \$7,473,000 of the education legacy trust account--state
6 appropriation is provided solely for a math and science instructional
7 coaches program pursuant to chapter 396, Laws of 2007. Funding shall
8 be used to provide grants to schools and districts to provide salaries,
9 benefits, and professional development activities to twenty-five
10 instructional coaches in middle and high school math and twenty-five
11 instructional coaches in middle and high school science in each year of
12 the biennium; and up to \$300,000 may be used by the office of the
13 superintendent of public instruction to administer and coordinate the
14 program.

15 (6) \$1,133,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$1,133,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely to allow approved middle and
18 junior high school career and technical education programs to receive
19 enhanced vocational funding. The office of the superintendent of
20 public instruction shall provide allocations to districts for middle
21 and junior high school students in accordance with the funding formulas
22 provided in section 502 of this act. Although the allocations are
23 formula-driven, the office of the superintendent shall consider the
24 funding provided in this subsection as a fixed amount, and shall adjust
25 funding to stay within the amounts provided in this subsection.

26 (7) \$139,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$139,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely for (a) staff at the office of the
29 superintendent of public instruction to coordinate and promote efforts
30 to develop integrated math, science, technology, and engineering
31 programs in schools and districts across the state; and (b) grants of
32 \$2,500 to provide twenty middle and high school teachers each year
33 professional development training for implementing integrated math,
34 science, technology, and engineering program in their schools.

35 (8) \$3,079,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$3,079,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for the Washington state
38 leadership and assistance for science education reform (LASER) regional

1 partnership activities coordinated at the Pacific science center,
2 including instructional material purchases, teacher and principal
3 professional development, and school and community engagement events.
4 Funding shall be distributed to the various LASER activities in a
5 manner proportional to LASER program spending during the 2007-2009
6 biennium.

7 (9) \$81,030,000 of the education legacy trust account--state
8 appropriation is provided solely for grants for voluntary full-day
9 kindergarten at the highest poverty schools, as provided in chapter
10 400, Laws of 2007. The office of the superintendent of public
11 instruction shall provide allocations to districts for recipient
12 schools in accordance with the funding formulas provided in section 502
13 of this act. Each kindergarten student who enrolls for the voluntary
14 full-day program in a recipient school shall count as one-half of one
15 full-time equivalent student for the purpose of making allocations
16 under this subsection. Although the allocations are formula-driven,
17 the office of the superintendent shall consider the funding provided in
18 this subsection as a fixed amount, and shall limit the number of
19 recipient schools so as to stay within the amounts appropriated each
20 fiscal year in this subsection. The funding provided in this
21 subsection is estimated to provide full-day kindergarten programs for
22 20 percent of kindergarten enrollment. Funding priority shall be given
23 to schools with the highest poverty levels, as measured by prior year
24 free and reduced priced lunch eligibility rates in each school.
25 Additionally, as a condition of funding, school districts must agree to
26 provide the full-day program to the children of parents who request it
27 in each eligible school. For the purposes of calculating a school
28 district levy base, funding provided in this subsection shall be
29 considered a state block grant program under RCW 84.52.0531.

30 (a) Of the amounts provided in this subsection, a maximum of
31 \$272,000 may be used for administrative support of the full-day
32 kindergarten program within the office of the superintendent of public
33 instruction.

34 (b) Student enrollment pursuant to this program shall not be
35 included in the determination of a school district's overall K-12 FTE
36 for the allocation of student achievement programs and other funding
37 formulas unless specifically stated.

1 (10) \$2,062,000 of the education legacy trust account--state
2 appropriation is provided solely for grants for three demonstration
3 projects for kindergarten through grade three. The purpose of the
4 grants is to implement best practices in developmental learning in
5 kindergarten through third grade.

6 (11) \$800,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$1,000,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for the development of a
9 leadership academy for school principals and administrators. The
10 superintendent of public instruction shall contract with an independent
11 organization to design, field test, and implement a state-of-the-art
12 education leadership academy that will be accessible throughout the
13 state. Initial development of the content of the academy activities
14 shall be supported by private funds. Semiannually the independent
15 organization shall report on amounts committed by foundations and
16 others to support the development and implementation of this program.
17 Leadership academy partners, with varying roles, shall include the
18 state level organizations for school administrators and principals, the
19 superintendent of public instruction, the professional educator
20 standards board, and others as the independent organization shall
21 identify.

22 (12) \$105,754,000 of the general fund--federal appropriation is
23 provided for preparing, training, and recruiting high quality teachers
24 and principals under Title II of the no child left behind act.

25 (13) \$44,500,000 of the general fund--federal appropriation is
26 provided solely to the office of the superintendent of public
27 instruction for focused assistance and school improvement activities
28 authorized under Title 1 of the elementary and secondary improvement
29 act. The office of the superintendent of public instruction shall
30 conduct educational audits of low-performing schools and enter into
31 performance agreements between school districts and the office to
32 implement the recommendations of the audit and the community. Funding
33 in this subsection may be used for focused assistance programs for
34 individual schools as well as school districts.

35 (14) \$30,702,000 of the general fund--federal appropriation is
36 provided for the reading first program under Title I of the no child
37 left behind act.

1 (15) \$1,667,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$1,667,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely to eliminate the lunch co-pay for
4 students in grades kindergarten through third grade that are eligible
5 for reduced price lunch.

6 (16) \$5,285,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$5,285,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for: (a) The meals for kids
9 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the
10 breakfast co-pay for students eligible for reduced price lunch; and (c)
11 for additional assistance for school districts initiating a summer food
12 service program.

13 (17) \$1,056,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$1,056,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the Washington reading corps.
16 The superintendent shall allocate reading corps members to low-
17 performing schools and school districts that are implementing
18 comprehensive, proven, research-based reading programs. Two or more
19 schools may combine their Washington reading corps programs. Grants
20 provided under this section may be used by school districts for
21 expenditures from September 2009 through August 31, 2011.

22 (18) \$3,594,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$3,594,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for grants to school districts to
25 provide a continuum of care for children and families to help children
26 become ready to learn. Grant proposals from school districts shall
27 contain local plans designed collaboratively with community service
28 providers. If a continuum of care program exists in the area in which
29 the school district is located, the local plan shall provide for
30 coordination with existing programs to the greatest extent possible.
31 Grant funds shall be allocated pursuant to RCW 70.190.040.

32 (19) \$1,959,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$1,959,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely for improving technology
35 infrastructure, monitoring and reporting on school district technology
36 development, promoting standards for school district technology,
37 promoting statewide coordination and planning for technology

1 development, and providing regional educational technology support
2 centers, including state support activities, under chapter 28A.650 RCW.

3 (20) \$333,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$333,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for the operation of the center
6 for the improvement of student learning pursuant to RCW 28A.300.130.

7 (21) \$250,000 of the education legacy trust account--state
8 appropriation is provided solely for costs associated with office of
9 the superintendent of public instruction establishing a statewide
10 director of technology position.

11 (22)(a) \$26,210,000 of the general fund--state appropriation for
12 fiscal year 2010 and \$35,902,000 of the general fund--state
13 appropriation for fiscal year 2011 are provided solely for the
14 following bonuses for teachers who hold valid, unexpired certification
15 from the national board for professional teaching standards and who are
16 teaching in a Washington public school, subject to the following
17 conditions and limitations:

18 (i) For national board certified teachers, a bonus of \$5,000 per
19 teacher beginning in the 2007-08 school year and adjusted for inflation
20 in each school year thereafter in which Initiative 732 cost of living
21 adjustments are provided. National board certified teachers who become
22 public school principals shall continue to receive this bonus for as
23 long as they are principals and maintain the national board
24 certification;

25 (ii) An additional \$5,000 annual bonus shall be paid to national
26 board certified teachers who teach in either: (A) High schools where
27 at least 50 percent of student headcount enrollment is eligible for
28 federal free or reduced price lunch, (B) middle schools where at least
29 60 percent of student headcount enrollment is eligible for federal free
30 or reduced price lunch, or (C) elementary schools where at least 70
31 percent of student headcount enrollment is eligible for federal free or
32 reduced price lunch; and

33 (iii) The superintendent of public instruction shall adopt rules to
34 ensure that national board certified teachers meet the qualifications
35 for bonuses under (a)(ii) of this subsection for less than one full
36 school year receive bonuses in a pro-rated manner.

37 (b) Included in the amounts provided in this subsection are amounts
38 for mandatory fringe benefits.

1 (23) \$2,750,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$2,750,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for secondary career and technical
4 education grants pursuant to chapter 170, Laws of 2008. This funding
5 may additionally be used to support the statewide coordination
6 activities of career and technical student organizations such as future
7 business leaders of America and similar groups.

8 (24) \$600,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$600,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the local farms-healthy kids
11 program as described in chapter 215, Laws of 2008.

12 (25) \$69,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$69,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for the implementation of House
15 Bill No. 2147 (closing the achievement gap in order to provide all
16 students an excellent and equitable education).

17 NEW SECTION. **Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC**
18 **INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS**

19	General Fund--State Appropriation (FY 2010)	\$80,283,000
20	General Fund--State Appropriation (FY 2011)	\$83,891,000
21	General Fund--Federal Appropriation	\$45,263,000
22	TOTAL APPROPRIATION	\$209,437,000

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

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

28 (2) The superintendent shall distribute a maximum of \$906.25 per
29 eligible bilingual student in the 2009-10 school year and \$906.25 in
30 the 2010-11 school year, exclusive of salary and benefit adjustments
31 provided in section 504 of this act.

32 (3) The superintendent may withhold up to 1.5 percent of the school
33 year allocations to school districts in subsection (2) of this section,
34 and adjust the per eligible pupil rates in subsection (2) of this
35 section accordingly, solely for the central provision of assessments as
36 provided in RCW 28A.180.090 (1) and (2).

1 (4) \$70,000 of the amounts appropriated in this section are
2 provided solely to track current and former transitional bilingual
3 program students.

4 (5) The general fund--federal appropriation in this section is
5 provided for migrant education under Title I Part C and English
6 language acquisition, and language enhancement grants under Title III
7 of the elementary and secondary education act.

8 NEW SECTION. **Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC**
9 **INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM**

10	General Fund--State Appropriation (FY 2010)	\$104,241,000
11	General Fund--State Appropriation (FY 2011)	\$106,247,000
12	General Fund--Federal Appropriation	\$473,289,000
13	Education Legacy Trust Account--State	
14	Appropriation	\$47,980,000
15	TOTAL APPROPRIATION	\$731,757,000

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

18 (1) The general fund--state appropriations in this section are
19 subject to the following conditions and limitations:

20 (a) The appropriations include such funds as are necessary to
21 complete the school year ending in the fiscal year and for prior fiscal
22 year adjustments.

23 (b) Funding for school district learning assistance programs shall
24 be allocated at maximum rates of \$283.03 per funded student for the
25 2009-10 school year and \$284.02 per funded student for the 2010-11
26 school year exclusive of salary and benefit adjustments provided under
27 section 504 of this act.

28 (c) A school district's funded students for the learning assistance
29 program shall be the sum of the following as appropriate:

30 (i) The district's full-time equivalent enrollment in grades K-12
31 for the prior school year multiplied by the district's percentage of
32 October headcount enrollment in grades K-12 eligible for free or
33 reduced price lunch in the prior school year; and

34 (ii) If, in the prior school year, the district's percentage of
35 October headcount enrollment in grades K-12 eligible for free or
36 reduced price lunch exceeded forty percent, subtract forty percent from

1 the district's percentage and multiply the result by the district's K-
2 12 annual average full-time equivalent enrollment for the prior school
3 year.

4 (d) In addition to the amounts allocated in (b) and (c) of this
5 subsection, an additional amount shall be allocated to school districts
6 with high concentrations of poverty and English language learner
7 students, subject to the following rules and conditions:

8 (i) To qualify for additional funding under this subsection, a
9 district's October headcount enrollment in grades kindergarten through
10 grade twelve must have at least twenty percent enrolled in the
11 transitional bilingual instruction program based on an average of the
12 program headcount taken in October and May of the prior school year;
13 and must also have at least forty percent eligible for free or reduced
14 price lunch based on October headcount enrollment in grades
15 kindergarten through twelve in the prior school year.

16 (ii) Districts meeting the specifications in (d)(i) of this
17 subsection shall receive additional funded students for the learning
18 assistance program at the rates specified in subsection (1)(b) of this
19 section. The number of additional funded student units shall be
20 calculated by subtracting twenty percent from the district's percent
21 transitional bilingual instruction program enrollment as defined in
22 (d)(i) of this subsection, and the resulting percent shall be
23 multiplied by the district's kindergarten through twelve annual average
24 full-time equivalent enrollment for the prior school year.

25 (2) The general fund--federal appropriation in this section is
26 provided for Title I Part A allocations of the no child left behind act
27 of 2001.

28 (3) A school district may carry over from one year to the next up
29 to 10 percent of the general fund--state or education legacy trust
30 funds allocated under this program; however, carryover funds shall be
31 expended for the learning assistance program.

32 (4) School districts are encouraged to coordinate the use of these
33 funds with other federal, state, and local sources to serve students
34 who are below grade level and to make efficient use of resources in
35 meeting the needs of students with the greatest academic deficits.

36 (5) Within amounts appropriated in this section, funding is
37 provided for the implementation of extended learning programs required
38 in chapter 328, Laws of 2008.

1 NEW SECTION. **Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC**
2 **INSTRUCTION--FOR STUDENT ACHIEVEMENT PROGRAM**

3	General Fund--State Appropriation (FY 2011)	\$155,954,000
4	General Fund--Federal Appropriation	\$241,584,000
5	TOTAL APPROPRIATION	\$397,538,000

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

8 (1) Funding for school district student achievement programs shall
9 be allocated at a maximum rate of \$184.00 per FTE student for the 2009-
10 10 school year and \$152.00 per FTE student for the 2010-11 school year.
11 For the purposes of this section, FTE student refers to the annual
12 average full-time equivalent enrollment of the school district in
13 grades kindergarten through twelve for the prior school year, as
14 reported to the office of the superintendent of public instruction by
15 August 31st of the previous school year.

16 (2) The appropriation is allocated for the following uses as
17 specified in RCW 28A.505.210:

18 (a) To reduce class size by hiring certificated elementary
19 classroom teachers in grades K-4 and paying nonemployee-related costs
20 associated with those new teachers;

21 (b) To make selected reductions in class size in grades 5-12, such
22 as small high school writing classes;

23 (c) To provide extended learning opportunities to improve student
24 academic achievement in grades K-12, including, but not limited to,
25 extended school year, extended school day, before-and-after-school
26 programs, special tutoring programs, weekend school programs, summer
27 school, and all-day kindergarten;

28 (d) To provide additional professional development for educators
29 including additional paid time for curriculum and lesson redesign and
30 alignment, training to ensure that instruction is aligned with state
31 standards and student needs, reimbursement for higher education costs
32 related to enhancing teaching skills and knowledge, and mentoring
33 programs to match teachers with skilled, master teachers. The funding
34 shall not be used for salary increases or additional compensation for
35 existing teaching duties, but may be used for extended year and
36 extended day teaching contracts;

37 (e) To provide early assistance for children who need
38 prekindergarten support in order to be successful in school; or

1 (f) To provide improvements or additions to school building
2 facilities which are directly related to the class size reductions and
3 extended learning opportunities under (a) through (c) of this
4 subsection (2).

5 (3) The superintendent of public instruction shall distribute the
6 school year allocation according to the monthly apportionment schedule
7 defined in RCW 28A.510.250.

8 NEW SECTION. **Sec. 517. K-12 CARRYFORWARD AND PRIOR SCHOOL YEAR**
9 **ADJUSTMENTS.** State general fund and state student achievement fund
10 appropriations provided to the superintendent of public instruction for
11 state entitlement programs in the public schools in this part V of this
12 act may be expended as needed by the superintendent for adjustments to
13 apportionment for prior fiscal periods. Recoveries of state general
14 fund moneys from school districts and educational service districts for
15 a prior fiscal period shall be made as reductions in apportionment
16 payments for the current fiscal period and shall be shown as prior year
17 adjustments on apportionment reports for the current period. Such
18 recoveries shall not be treated as revenues to the state, but as a
19 reduction in the amount expended against the appropriation for the
20 current fiscal period.

21 NEW SECTION. **Sec. 518. FOR THE SUPERINTENDENT OF PUBLIC**
22 **INSTRUCTION.** Appropriations made in this act to the office of the
23 superintendent of public instruction shall initially be allotted as
24 required by this act. Subsequent allotment modifications shall not
25 include transfers of moneys between sections of this act.

26 NEW SECTION. **Sec. 519. FOR THE SUPERINTENDENT OF PUBLIC**
27 **INSTRUCTION--REVISIONS TO HEALTH BENEFIT FUNDING RATES AND PENSIONS**
28 **CONTRIBUTION RATES FOR SCHOOL EMPLOYEES.** The appropriations in this
29 section are subject to the following conditions and limitations:

30 (1) The appropriations for contributions to the public employees'
31 retirement system, the school employees' retirement system, and the
32 teachers' retirement system are adjusted to reflect savings resulting
33 from statutory changes to pension contribution requirements. The
34 office of financial management and the superintendent of public

1 instruction shall adjust allotments for the affected sections of Part
2 V to reflect the funding levels in this section:

3	General Fund--State Appropriation (FY 2010)	(\$130,331,000)
4	General Fund--State Appropriation (FY 2011)	(\$163,938,000)
5	TOTAL APPROPRIATION	(\$294,269,000)

6 (2) The appropriations for the health benefit funding rates
7 specified in section 504 for the 2009-10 and 2010-11 school years are
8 increased from the rate provided in the 2009 fiscal year. The
9 superintendent of public instruction shall adjust the affected sections
10 of Part V to reflect the changes to funding levels in this section:

11	General Fund--State Appropriation (FY 2010)	\$21,921,000
12	General Fund--State Appropriation (FY 2011)	\$57,139,000
13	General Fund--Federal Appropriation	\$57,000
14	TOTAL APPROPRIATION	\$79,117,000

(End of part)

1 institutions of higher education for policy planning purposes.
2 Institutions of higher education shall report personnel data to the
3 department of personnel for inclusion in the department's data
4 warehouse. Uniform reporting procedures shall be established by the
5 department of personnel for use by the reporting institutions,
6 including provisions for common job classifications and common
7 definitions of full-time equivalent staff. Annual contract amounts,
8 number of contract months, and funding sources shall be consistently
9 reported for employees under contract.

10 (3) For the 2009-10 academic year, the governing boards of the
11 research universities, the regional universities and The Evergreen
12 State College may implement an increase no greater than ten percent
13 over tuition fees charged to full-time resident undergraduate students
14 for the 2008-09 academic year. For the 2009-10 academic year, the
15 state board for community and technical colleges may implement an
16 increase no greater than an average of seven percent over tuition and
17 fees charged to resident students for the 2008-09 academic year. The
18 board may increase tuition and fees differentially according to
19 quarterly credit hour load, provided the overall increase in average
20 tuition revenue per resident student does not exceed seven percent each
21 year.

22 (4) For the 2010-11 academic year, the governing boards of the
23 research universities, the regional universities, and The Evergreen
24 State College may implement an increase no greater than ten percent
25 over tuition fees charged to full-time resident undergraduate students
26 for the 2009-10 academic year. For the 2010-11 academic year, the
27 state board for community and technical colleges may implement an
28 increase no greater than an average of seven percent over tuition and
29 fees charged to resident students for the 2009-10 academic year. The
30 board may increase tuition and fees differentially according to
31 quarterly credit hour load, provided the overall increase in average
32 tuition revenue per resident student does not exceed seven percent each
33 year.

34 (5) In addition to waivers granted under the authority of RCW
35 28B.15.910, the governing boards and the state board may waive all or
36 a portion of operating fees for any student. State general fund
37 appropriations shall not be provided to replace tuition and fee revenue
38 foregone as a result of waivers granted under this subsection.

1 (6) The colleges of education for institutions with appropriations
2 in sections 605 through 610 of this act shall develop a plan, by
3 October 30, 2009, to increase the number of math and science teacher
4 endorsements and certificates granted by the institution. The plan
5 shall address the college's math and science teacher endorsement and
6 certification completion goal for each of the next six years, beginning
7 with the 2010-2011 academic year, and shall be reported to the
8 governor, the higher education coordinating board (HECB), and the
9 professional educator standards board (PESB). Plan components may
10 address: Student advising practices, increase outreach and recruitment
11 efforts, linkages with university mathematics and science departments,
12 and implementation of redesigned, innovative endorsement and
13 certification programs. To accomplish this work, enrollments may need
14 to be shifted from low-need endorsement and certificate areas to math
15 and science. A report shall be made each October 30th to the HECB and
16 PESB regarding the degree to which plan goals have been met and
17 activities undertaken to support those outcomes.

18 NEW SECTION. **Sec. 602. PUBLIC BACCALAUREATE INSTITUTIONS.** The
19 tuition fees, as defined in RCW 28B.15.020, charged to students at the
20 state's institutions of higher education may be adjusted by the
21 governing boards of the state universities, regional universities, and
22 The Evergreen State College for the 2009-10 and 2010-11 academic years,
23 including summer sessions, subject to the limitations set forth in this
24 section and section 601 of this act.

25 Additionally, the fees charged students at the institutions of
26 higher education for enrollment in self-supporting degree programs
27 including summer school, authorized by RCW 28B.15.031, and all other
28 fees authorized by RCW 28B.15.031, may be adjusted by the governing
29 boards of the state universities, regional universities, and The
30 Evergreen State College for the 2009-10 and 2010-11 academic years,
31 subject to the limitations set forth as follows:

32 (1) For the 2009-10 and 2010-11 academic years, each of the
33 governing boards of the public four-year institutions is authorized to
34 increase fees for fee-based degree programs; fee-based credit courses;
35 fee-based noncredit workshops and courses; and fee-based special
36 contract courses.

1 (2) For the 2009-10 and 2010-11 academic years, each of the
2 governing boards of the public four-year institutions is authorized to
3 increase services and activities fees for all categories of students by
4 the amounts authorized in RCW 28B.15.069.

5 (3) For the 2009-10 and 2010-11 academic years, each of the
6 governing boards of the public four-year institutions is authorized to
7 adopt or increase technology fees as provided in RCW 28B.15.051.

8 (4) For the 2009-10 and 2010-11 academic years, each of the
9 governing boards of the public four-year institutions may adopt or
10 increase all other fees included in RCW 28B.15.031.

11 NEW SECTION. **Sec. 603. STATE BOARD FOR COMMUNITY AND TECHNICAL**
12 **COLLEGES.** In order to operate within the state funds appropriated in
13 this act, the state board for community and technical colleges and the
14 trustees of the state's community and technical colleges are authorized
15 to adopt and adjust tuition and fees for the 2009-10 and 2010-11
16 academic years as provided in this section and section 601 of this act.

17 (1) The state board may increase the tuition fees charged to
18 resident undergraduates enrolled in upper division applied
19 baccalaureate programs by no more than ten percent over the amounts
20 charged during the prior academic year.

21 (2) The trustees of the technical colleges are authorized to
22 either: (a) Increase operating fees by no more than the percentage
23 increases authorized for community colleges by the state board; or (b)
24 fully adopt the tuition fee charge schedule adopted by the state board
25 for community colleges.

26 (3) For the 2009-10 academic year, the trustees of the technical
27 colleges are authorized to increase building fees by four cents per
28 clock hour and by sixty-two cents per credit hour. For the 2010-11
29 academic year, the trustees are authorized to increase building fees by
30 four cents per clock hour and by sixty-nine cents per credit hour. The
31 purpose of these increases is to progress toward parity with the
32 building fees charged students attending the community colleges.

33 (4) The state board is authorized to increase the maximum allowable
34 services and activities fee as provided in RCW 28B.15.069. The
35 trustees of the community and technical colleges are authorized to
36 increase services and activities up to the maximum level authorized by
37 the state board.

1 (5) The trustees of the community and technical colleges are
2 authorized to adopt or increase charges for fee-based, self-sustaining
3 programs such as summer session, international student contracts, and
4 special contract courses by amounts judged reasonable and necessary by
5 the trustees.

6 (6) The trustees of the community and technical colleges are
7 authorized to adopt or increase special course and lab fees to the
8 extent necessary to cover the reasonable and necessary exceptional cost
9 of the course or service.

10 (7) The trustees of the community and technical colleges are
11 authorized to adopt or increase administrative fees such as but not
12 limited to those charged for application, matriculation, special
13 testing, and transcripts by amounts judged reasonable and necessary by
14 the governing board.

15 NEW SECTION. **Sec. 604. FOR THE STATE BOARD FOR COMMUNITY AND**
16 **TECHNICAL COLLEGES**

17	General Fund--State Appropriation (FY 2010)	\$607,544,000
18	General Fund--State Appropriation (FY 2011)	\$576,221,000
19	General Fund--Federal Appropriation	\$38,156,000
20	Education Legacy Trust Account--State	
21	Appropriation	\$95,161,000
22	TOTAL APPROPRIATION	\$1,317,082,000

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

25 (1) \$28,761,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$28,761,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely as special funds for training and
28 related support services, including financial aid, as specified in RCW
29 28C.04.390. Funding is provided to support up to 6,200 full-time
30 equivalent students in each fiscal year.

31 (2) \$2,725,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$2,725,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for administration and customized
34 training contracts through the job skills program. The state board
35 shall make an annual report by January 1st of each year to the governor
36 and to appropriate policy and fiscal committees of the legislature
37 regarding implementation of this section, listing the scope of grant

1 awards, the distribution of funds by educational sector and region of
2 the state, and the results of the partnerships supported by these
3 funds.

4 (3) Of the amounts appropriated in this section, \$3,500,000 is
5 provided for the student achievement initiative.

6 (4) The community and technical colleges shall manage budget
7 reductions to minimize the impact to students. In recognition of the
8 fact that higher education is an important driver of economic
9 development, the colleges must continue to prepare graduates in certain
10 programs with high employer demand. Community and technical colleges
11 shall produce at least 22,000 completers in job preparatory and
12 apprenticeship programs.

13 (5) \$1,112,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$1,113,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the state board to enhance
16 online distance learning and open courseware technology. Funds shall
17 be used to support open courseware, open textbooks, open licenses to
18 increase access, affordability and quality of courses in higher
19 education. The state board for community and technical colleges shall
20 select the most appropriate courses to support open courseware based
21 solely upon criteria of maximizing the value of instruction, reducing
22 costs of textbooks and other instructional materials for the greatest
23 number of students in higher education regardless of type of
24 institution those students attend.

25 (6) For fiscal year 2010 and fiscal year 2011, community and
26 technical colleges with nursing programs shall develop and implement
27 wait list processes and procedures to include:

28 (a) Establishment of a wait list system for students who are
29 accepted but not admitted into a nursing program due to enrollment slot
30 limitations; and

31 (b) A requirement that, upon establishment of the wait list, each
32 academic year the nursing program shall fill at least fifty percent of
33 the enrollment slots with students who are on the wait list. In order
34 to be admitted to the nursing program, the student on the wait list
35 must continue to meet all necessary admittance criteria but does not
36 need to reapply unless the application has changed. The requirement in
37 this subsection (b) is waived if there are no students on the
38 established wait list.

(7) By July 1, 2009, the state board for community and technical colleges shall select one community or technical college to develop and offer, subject to the approval of the higher education coordinating board, a program of study to begin January 2010, on a tuition and fee basis, that leads to an applied baccalaureate degree in interior design with a focus on green design, to address anticipated job stimulus funds, which builds on an associate of arts, associate of arts and sciences, or equivalent degree, under the application process defined in the provisions of RCW 28B.50.810 (3) and (4).

(8) In accordance with the recommendations of the higher education coordinating board's 2008 Kitsap region higher education center study, the state board shall facilitate development of university centers by allocating thirty 2-year and 4-year partnership full-time enrollment equivalencies to Olympic college. The college shall use the allocation to establish a partnership with a baccalaureate university or universities for delivery of upper division degree programs in the Kitsap region. The Olympic and Peninsula community college districts shall additionally work together to ensure coordinated development of these and other future baccalaureate opportunities through coordinated needs assessment, planning, and scheduling.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

NEW SECTION. Sec. 605. FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2010)	\$279,206,000
General Fund--State Appropriation (FY 2011)	\$240,208,000
General Fund--Private/Local Appropriation	\$450,000
General Fund--Federal Appropriation	\$33,975,000
Education Legacy Trust Account--State	
Appropriation	\$54,333,000
Accident Account--State Appropriation	\$6,713,000
Medical Aid Account--State Appropriation	\$6,519,000
University of Washington Building Account Appropriation	\$5,000,000
TOTAL APPROPRIATION	\$626,404,000

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

3 (1) The president and regents shall manage budget reductions to
4 minimize the impact to students. In recognition of the fact that
5 higher education is an important driver of economic development, each
6 institution must continue to prepare graduates in certain programs with
7 high employer demand. The University of Washington shall produce at
8 least 3,996 graduates in the following programs: Natural
9 resources/conservation, computer science, mathematics, engineering,
10 physical sciences, biological sciences, and health professions/clinical
11 sciences.

12 (2) \$54,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$54,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for the University of Washington
15 geriatric education center to provide a voluntary adult family home
16 certification program. In addition to the minimum qualifications
17 required under RCW 70.128.120, individuals participating in the
18 voluntary adult family home certification program shall complete fifty-
19 two hours of class requirements as established by the University of
20 Washington geriatric education center. Individuals completing the
21 requirements of RCW 70.128.120 and the voluntary adult family home
22 certification program shall be issued a certified adult family home
23 license by the department of social and health services. The
24 department of social and health services shall adopt rules implementing
25 the provisions of this subsection.

26 (3) \$5,000,000 of the University of Washington building account
27 appropriation is provided solely for design for the science building at
28 the University of Washington Bothell. The university shall complete
29 the building design by June 30, 2011.

30 NEW SECTION. **Sec. 606. FOR WASHINGTON STATE UNIVERSITY**

31	General Fund--State Appropriation (FY 2010)	\$179,016,000
32	General Fund--State Appropriation (FY 2011)	\$156,317,000
33	General Fund--Federal Appropriation	\$19,732,000
34	Education Legacy Trust Account--State	
35	Appropriation	\$34,700,000
36	TOTAL APPROPRIATION	\$389,765,000

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

3 (1) When implementing reductions for fiscal year 2010 and fiscal
4 year 2011, Washington State University shall minimize reductions to
5 extension services and agriculture extension services. Agriculture
6 extension includes:

7 (a) Faculty with extension appointments working within the
8 following departments in the college of agricultural, human, and
9 natural resource sciences with extension appointments: Animal
10 sciences, crop and soil sciences, entomology, horticulture, and plant
11 pathology;

12 (b) The portion of county extension educators' appointments
13 assigned to the "agricultural programs" area;

14 (c) Staff with extension appointments and extension operating
15 allocations located at the irrigated agriculture research and extension
16 center (Prosser), northwest Washington research and extension center
17 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);
18 and

19 (d) Extension contributions to the center for precision
20 agricultural systems, center for sustaining agriculture and natural
21 resources, and the agriculture weather network.

22 (2) The president and regents shall manage budget reductions to
23 minimize the impact to students. In recognition of the fact that
24 higher education is an important driver of economic development, each
25 institution must continue to prepare graduates in certain programs with
26 high employer demand. Washington State University shall produce at
27 least 1,429 graduates in the following programs: Natural
28 resources/conservation, computer science, mathematics, engineering,
29 physical sciences, biological sciences, and health professions/clinical
30 sciences.

31 NEW SECTION. **Sec. 607. FOR EASTERN WASHINGTON UNIVERSITY**

32	General Fund--State Appropriation (FY 2010)	\$40,012,000
33	General Fund--State Appropriation (FY 2011)	\$36,331,000
34	General Fund--Federal Appropriation	\$4,773,000
35	Education Legacy Trust Account--State	
36	Appropriation	\$16,087,000
37	TOTAL APPROPRIATION	\$97,203,000

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

3 (1) The president and trustees shall manage budget reductions to
4 minimize the impact on students.

5 (2) \$100,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$100,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for the Washington state institute
8 for public policy to report to the legislature regarding efficient and
9 effective programs and policies. The report shall calculate the return
10 on investment to taxpayers from evidence-based prevention and
11 intervention programs and policies that influence crime, K-12 education
12 outcomes, child maltreatment, substance abuse, mental health, public
13 health, public assistance, employment, and housing. The institute for
14 public policy shall provide the legislature with a comprehensive list
15 of programs and policies that improve these outcomes for children and
16 adults in Washington state and result in more cost-efficient use of
17 public resources. The institute shall submit interim reports by
18 December 15, 2009, and October 1, 2010, and a final report by June 30,
19 2011. The institute may receive additional funds from a private
20 organization for the purpose of conducting this study.

21 (3) \$75,000 of the general fund--state appropriation for fiscal
22 year 2010 is provided solely for the Washington state institute of
23 public policy to evaluate the adequacy of and access to financial aid
24 and independent living programs for youth in foster care. The
25 examination shall include opportunities to improve efficiencies within
26 these programs. The committee shall report its findings and
27 recommendations by December 1, 2009.

28 (4) \$100,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$100,000 of the general fund--state appropriation for
30 fiscal year 2011 shall be expended on the labor education and research
31 center.

32 (5) \$54,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$23,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely to implement House Bill No. 2164
35 (racial disproportionality). If the bill is not enacted by June 30,
36 2009, the amounts provided in this subsection shall lapse.

1 NEW SECTION. **Sec. 610. FOR WESTERN WASHINGTON UNIVERSITY**

2	General Fund--State Appropriation (FY 2010)	\$52,596,000
3	General Fund--State Appropriation (FY 2011)	\$47,967,000
4	General Fund--Federal Appropriation	\$5,940,000
5	Education Legacy Trust Account--State	
6	Appropriation	\$13,036,000
7	TOTAL APPROPRIATION	\$119,539,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: The president and trustees shall manage
10 budget reductions to minimize the impact to students. In recognition
11 of the fact that higher education is an important driver of economic
12 development, each institution must continue to prepare graduates in
13 certain programs with high employer demand. Western Washington
14 University shall produce at least 534 graduates in the following
15 programs: Natural resources/conservation, computer science,
16 mathematics, engineering, physical sciences, biological sciences, and
17 health professions/clinical sciences.

18 NEW SECTION. **Sec. 611. FOR THE HIGHER EDUCATION COORDINATING**
19 **BOARD--POLICY COORDINATION AND ADMINISTRATION**

20	General Fund--State Appropriation (FY 2010)	\$8,251,000
21	General Fund--State Appropriation (FY 2011)	\$7,770,000
22	General Fund--Federal Appropriation	\$4,361,000
23	TOTAL APPROPRIATION	\$20,382,000

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

26 (1) \$2,200,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$2,200,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely for implementation of the
29 entrepreneurial STARS program. Of this amount, \$180,000 of the general
30 fund--state appropriation for fiscal year 2010 and \$180,000 of the
31 general fund--state appropriation for fiscal year 2011 are provided
32 solely for the higher education coordinating board to identify metrics
33 and benchmarks to evaluate the performance of state investments in
34 research and development as well as commercialization of those
35 investments. This includes, but is not limited to:

- 36 (a) An inventory of existing and proposed research and development

1 research and commercialization initiatives at state research
2 universities, regional universities, and community and technical
3 colleges; and

4 (b) Development of performance metrics using qualitative and
5 quantitative measurements to measure the scientific progress of
6 research and development projects, the commercialization potential of
7 those projects, both generally and in particular, on the direct
8 economic impact of such commercialization on the creations of jobs,
9 increasing of public revenues, and lowering of public costs across the
10 state economy.

11 The higher education coordinating board shall post results and
12 profiles of individual researchers and research teams, project
13 descriptions, project funding sources, and student participation on
14 their web site. The board shall report metrics, benchmarks, and
15 evaluation outcomes regarding research, development, and
16 commercialization progress to the legislature by December 1, 2010.

17 (2) \$82,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$28,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for the higher education
20 coordinating board to administer sections 8 and 9 of Second Substitute
21 House Bill No. 1355 (opportunity internships). Funding is provided for
22 state need grant related program coordination as well as enhancement of
23 existing state need grant administration and tracking tools to
24 accommodate opportunity internship students eligible for state need
25 grants. If the bill is not enacted by June 30, 2009, the amounts
26 provided in this subsection shall lapse.

27 (3) \$146,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$65,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the higher education
30 coordinating board to administer Engrossed Second Substitute House Bill
31 No. 2021 (revitalizing student financial aid). Of this amount, \$20,000
32 is for implementing rebranding of financial aid to "Opportunity
33 Grants;" \$51,000 is for supporting four-year institutions in rebranding
34 efforts; and \$140,000 is for managing the state work study off-campus
35 high-demand project subprogram. Amounts provided in this subsection
36 are sufficient to administer the state work student mentoring
37 subprogram as provided for in section 2 of Engrossed House Bill No.
38 1986 (mentoring project). If Engrossed Second Substitute House Bill

1 No. 2021 (revitalizing student financial aid) is not enacted by June
2 30, 2009, \$71,000 of the amounts provided in this subsection shall
3 lapse. If neither bill is enacted by June 30, 2009, the amounts
4 provided in this subsection shall lapse.

5 (4) \$227,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$11,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for implementation of Engrossed
8 Second Substitute House Bill No. 1946 (regarding higher education
9 online technology). If the bill is not enacted by June 30, 2009, the
10 amounts provided in this subsection shall lapse.

11 NEW SECTION. **Sec. 612. FOR THE HIGHER EDUCATION COORDINATING**
12 **BOARD--FINANCIAL AID AND GRANT PROGRAMS**

13	General Fund--State Appropriation (FY 2010)	\$197,978,000
14	General Fund--State Appropriation (FY 2011)	\$212,940,000
15	General Fund--Federal Appropriation	\$13,138,000
16	Education Legacy Trust Account--State	
17	Appropriation	\$95,062,000
18	TOTAL APPROPRIATION	\$519,118,000

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

21 (1) \$178,359,000 of the general fund--state appropriation for
22 fiscal year 2010, \$203,171,000 of the general fund--state appropriation
23 for fiscal year 2011, \$89,952,000 of the education legacy trust account
24 appropriation, and \$2,886,000 of the general fund--federal
25 appropriation are provided solely for student financial aid payments
26 under the state need grant; the state work study program including a
27 four percent administrative allowance; the Washington scholars program;
28 and the Washington award for vocational excellence. The state need
29 grant, state work study, and the Washington award for vocational
30 excellence programs shall increase grant awards sufficiently to offset
31 the full cost of the resident undergraduate tuition increases
32 authorized under this act. The Washington scholars program shall
33 provide awards sufficient to offset ninety percent of the total tuition
34 and fee award.

35 (2) Within the funds appropriated in this section, eligibility for
36 the state need grant shall include students with family incomes at or

1 below 70 percent of the state median family income (MFI), adjusted for
2 family size.

3 (a) Within the amounts appropriated in this section, awards for
4 students with incomes between 51 and 70 percent of the state median
5 shall be prorated at the following percentages of the award amount
6 granted to those with incomes below 51 percent of the MFI: 70 percent
7 for students with family incomes between 51 and 55 percent MFI; 65
8 percent for students with family incomes between 56 and 60 percent MFI;
9 60 percent for students with family incomes between 61 and 65 percent
10 MFI; and 50 percent for students with family incomes between 66 and 70
11 percent MFI.

12 (b) The maximum state need grant awards and state work study awards
13 for students at private four-year colleges shall be held constant from
14 the fiscal year 2009 level award levels.

15 (3) \$7,400,000 of the education legacy trust account appropriation
16 is provided solely for investment to fulfill the scholarship
17 commitments in the college bound scholarship program.

18 (4) \$2,500,000 of the education legacy trust account--state
19 appropriation is provided solely to continue expansion of the gaining
20 early awareness and readiness for undergraduate programs project to at
21 least 25 additional school districts.

22 (5) \$1,000,000 of the education legacy trust account--state
23 appropriation is provided solely to encourage more students to teach
24 secondary mathematics and science. \$500,000 of this amount is for the
25 future teacher scholarship and conditional loan program. \$500,000 of
26 this amount is provided to support state work study positions for
27 students to intern in secondary schools and classrooms.

28 (6) \$3,472,000 of the education legacy trust account--state
29 appropriation is provided solely for the passport to college program.
30 Funds are provided for student scholarships, and for incentive payments
31 to the colleges they attend for individualized student support services
32 which may include, but are not limited to, college and career advising,
33 counseling, tutoring, costs incurred for students while school is not
34 in session, personal expenses, health insurance, and emergency
35 services.

36 (7) \$246,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$246,000 of the general fund--state appropriation for
38 fiscal year 2011 are for community scholarship matching grants and its

1 administration. To be eligible for the matching grant, nonprofit
2 groups organized under section 501(c)(3) of the federal internal
3 revenue code must demonstrate they have raised at least \$2,000 in new
4 moneys for college scholarships after the effective date of this
5 section. Groups may receive no more than one \$2,000 matching grant per
6 year and preference shall be given to groups affiliated with
7 scholarship America. Up to a total of \$46,000 per year of the amount
8 appropriated in this section may be awarded to a nonprofit community
9 organization to administer scholarship matching grants, with preference
10 given to an organization affiliated with scholarship America.

11 (8) \$75,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$75,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for higher education student child
14 care matching grants under chapter 28B.135 RCW.

15 (9) \$500,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$500,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for state need grants provided to
18 students enrolled in three to five credit-bearing quarter credits, or
19 the equivalent semester credits. Total state expenditure on this
20 program shall not exceed the amounts appropriated in this subsection.
21 By November 1 of each year, the board shall report to the office of
22 financial management and to the operating budget committees of the
23 house of representatives and senate on the number of eligible but
24 unserved students enrolled in just three to five quarterly credits, or
25 the semester equivalent, and the estimated cost of serving them.

26 (10) \$1,250,000 of the general fund--state appropriation is
27 provided solely for the health professional scholarship and loan
28 program. The funds provided in this subsection shall be: (a)
29 Prioritized for health care deliver sites demonstrating a commitment to
30 serving the uninsured; and (b) allocated between loan repayments and
31 scholarships proportional to current program allocations.

32 (11) For fiscal year 2010 and fiscal year 2011, the board shall
33 waive loan or conditional scholarship repayments to the future teachers
34 conditional scholarship and loan repayment program for up to one year
35 for each participant if the participant has shown evidence of efforts
36 to find a teaching job but has been unable to secure a teaching job per
37 the requirements of the program.

1 NEW SECTION. **Sec. 613. FOR THE WORK FORCE TRAINING AND EDUCATION**

2 **COORDINATING BOARD**

3 General Fund--State Appropriation (FY 2010) \$1,567,000
4 General Fund--State Appropriation (FY 2011) \$1,536,000
5 General Fund--Federal Appropriation \$54,064,000
6 TOTAL APPROPRIATION \$57,167,000

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

9 (1) \$60,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$60,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely for the workforce training and
12 education coordinating board for implementation of Second Substitute
13 House Bill No. 1355 (opportunity internships). If the bill is not
14 enacted by June 30, 2009, the amounts provided in this subsection shall
15 lapse.

16 (2) \$60,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$60,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the workforce training and
19 education coordinating board for implementation of Engrossed Second
20 Substitute House Bill No. 2227 (evergreen jobs act). If the bill is
21 not enacted by June 30, 2009, the amounts provided in this subsection
22 shall lapse.

23 NEW SECTION. **Sec. 614. FOR THE SPOKANE INTERCOLLEGIATE RESEARCH**

24 **AND TECHNOLOGY INSTITUTE**

25 General Fund--State Appropriation (FY 2010) \$1,428,000
26 General Fund--State Appropriation (FY 2011) \$1,437,000
27 TOTAL APPROPRIATION \$2,865,000

28 NEW SECTION. **Sec. 615. FOR THE DEPARTMENT OF EARLY LEARNING**

29 General Fund--State Appropriation (FY 2010) \$60,822,000
30 General Fund--State Appropriation (FY 2011) \$60,824,000
31 General Fund--Federal Appropriation \$247,402,000
32 TOTAL APPROPRIATION \$369,048,000

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

35 (1) \$55,068,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$55,068,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for early childhood education and
2 assistance program services. Of these amounts, \$10,284,000 is a
3 portion of the biennial amount of state matching dollars required to
4 receive federal child care and development fund grant dollars.

5 (2) \$400,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$400,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely to develop and provide culturally
8 relevant supports for parents, family, and other caregivers.

9 (3) Beginning October 1, 2007, the department shall be the lead
10 agency for and recipient of the federal child care and development fund
11 grant. Amounts within this grant shall be used to fund child care
12 licensing, quality initiatives, agency administration, and other costs
13 associated with child care subsidies. The department shall transfer a
14 portion of this grant to the department of social and health services
15 to partially fund the child care subsidies paid by the department of
16 social and health services on behalf of the department of early
17 learning.

18 (4) The department shall use child care development fund money to
19 satisfy the federal audit requirement of the improper payments act
20 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent
21 on the audits will not count against the five percent state limit on
22 administrative expenditures.

23 (5) \$100,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$100,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely for implementation of Substitute
26 House Bill No. 1329 (childcare center collective bargaining). If the
27 bill is not enacted by June 30, 2009, the amounts provided in this
28 subsection shall lapse.

29 (6) \$50,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$50,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided for the department to work with
32 stakeholders and the office of the superintendent of public instruction
33 to identify and test a kindergarten assessment process and tools in
34 geographically diverse school districts. School districts may
35 participate in testing the kindergarten assessment process on a
36 voluntary basis. The department shall report to the legislature on the
37 kindergarten assessment process not later than January 15, 2011.
38 Expenditure of amounts provided in this subsection is contingent on

1 receipt of an equal match from private sources. As matching funds are
2 made available, the department may expend the amounts provided in this
3 subsection.

4 (7) \$250,000 of the general fund--state appropriation for fiscal
5 year 2010, \$250,000 of the general fund--state appropriation for fiscal
6 year 2011, and \$500,000 of the general fund--federal appropriation are
7 provided solely for the department to contract with thrive by five
8 Washington to continue piloting a quality rating and improvement system
9 in multiple locations. Amounts provided shall be shared
10 proportionately between the demonstration communities, with up to
11 \$400,000 available to the thrive by five Washington demonstration sites
12 (King and Yakima counties) and up to \$600,000 available to the
13 department's demonstration sites (Clark, Kitsap, and Spokane counties).
14 Funds shall primarily be used to train and mentor coaches; child care
15 staff professional development; and coaching at the pilot sites.

16 (8) \$87,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$87,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the department to begin
19 processing background checks relating to child care facilities.

20 (9) \$3,000,000 of the general fund--federal appropriation is
21 provided solely for the child care career and wage ladder program
22 created by chapter 507, Laws of 2005. The general fund--federal
23 appropriation represents moneys from the American recovery and
24 reinvestment act of 2009 (child care development block grant funds).

25 (10) \$2,687,000 of the general fund--federal appropriation is
26 provided solely for the department to fund programs to improve the
27 quality of infant and toddler child care through training, technical
28 assistance, and child care consultation.

29 **NEW SECTION. Sec. 616. FOR THE STATE SCHOOL FOR THE BLIND**

30	General Fund--State Appropriation (FY 2010)	\$6,137,000
31	General Fund--State Appropriation (FY 2011)	\$5,995,000
32	General Fund--Private/Local Appropriation	\$1,970,000
33	TOTAL APPROPRIATION	\$14,102,000

34 The appropriations in this section are subject to the following
35 conditions and limitations: \$271,000 of the general fund--
36 private/local appropriation is provided solely for the school for the
37 blind to offer short course programs, allowing students the opportunity

1 to leave their home schools for short periods and receive intensive
2 training. The school for the blind shall provide this service to the
3 extent that it is funded by contracts with school districts and
4 educational services districts.

5 NEW SECTION. **Sec. 617. FOR THE STATE SCHOOL FOR THE DEAF**

6	General Fund--State Appropriation (FY 2010)	\$8,804,000
7	General Fund--State Appropriation (FY 2011)	\$8,683,000
8	General Fund--Private/Local Appropriation	\$526,000
9	TOTAL APPROPRIATION	\$18,013,000

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

12 (1) \$210,000 of the general fund--private/local appropriation is
13 provided solely for the operation of the shared reading video outreach
14 program. The school for the deaf shall provide this service to the
15 extent it is funded by contracts with school districts and educational
16 service districts.

17 (2) \$25,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$25,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for implementation of Engrossed
20 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If
21 the bill is not enacted by June 30, 2009, the amounts provided in this
22 subsection shall lapse.

23 NEW SECTION. **Sec. 618. FOR THE WASHINGTON STATE ARTS COMMISSION**

24	General Fund--State Appropriation (FY 2010)	\$1,842,000
25	General Fund--State Appropriation (FY 2011)	\$1,843,000
26	General Fund--Federal Appropriation	\$1,923,000
27	General Fund--Private/Local Appropriation	\$1,054,000
28	TOTAL APPROPRIATION	\$6,662,000

29 NEW SECTION. **Sec. 619. FOR THE WASHINGTON STATE HISTORICAL**
30 **SOCIETY**

31	General Fund--State Appropriation (FY 2010)	\$2,632,000
32	General Fund--State Appropriation (FY 2011)	\$2,667,000
33	TOTAL APPROPRIATION	\$5,299,000

1	<u>NEW SECTION.</u>	Sec. 620.	FOR THE EASTERN WASHINGTON STATE
2	HISTORICAL SOCIETY		
3	General Fund--State Appropriation (FY 2010)	\$1,633,000
4	General Fund--State Appropriation (FY 2011)	\$1,669,000
5	TOTAL APPROPRIATION	\$3,302,000

(End of part)

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. 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)	\$852,509,000
General Fund--State Appropriation (FY 2011)	\$900,678,000
State Building Construction Account--State Appropriation	\$11,707,000
Columbia River Basin Water Supply Development Account-- State Appropriation	\$92,000
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
TOTAL APPROPRIATION	\$1,769,012,000

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.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES

State Convention and Trade Center Account--State Appropriation	\$14,543,000
Accident Account--State Appropriation	\$5,171,000
Medical Aid Account--State Appropriation	\$5,171,000
TOTAL APPROPRIATION	\$24,885,000

1 **FIRE CONTINGENCY**

2	General Fund--State Appropriation (FY 2010)	\$2,000,000
3	General Fund--State Appropriation (FY 2011)	\$2,000,000
4	TOTAL APPROPRIATION	\$4,000,000

5 The appropriations in this section are subject to the following
6 conditions and limitations: The appropriations are provided solely for
7 expenditure into the disaster response account.

8 NEW SECTION. **Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **DISASTER RESPONSE ACCOUNT**

10	General Fund--State Appropriation (FY 2010)	\$14,558,000
11	General Fund--State Appropriation (FY 2011)	\$15,087,000
12	TOTAL APPROPRIATION	\$29,645,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: The appropriations are provided solely for
15 expenditure into the disaster response account.

16 NEW SECTION. **Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
17 **EMERGENCY FUND**

18	General Fund--State Appropriation (FY 2010)	\$850,000
19	General Fund--State Appropriation (FY 2011)	\$850,000
20	TOTAL APPROPRIATION	\$1,700,000

21 The appropriations in this section are subject to the following
22 conditions and limitations: The appropriations in this section are for
23 the governor's emergency fund for the critically necessary work of any
24 agency.

25 NEW SECTION. **Sec. 708. FOR THE DEPARTMENT OF COMMUNITY, TRADE,**
26 **AND ECONOMIC DEVELOPMENT--COUNTY PUBLIC HEALTH ASSISTANCE**

27	General Fund--State Appropriation (FY 2010)	\$13,500,000
28	General Fund--State Appropriation (FY 2011)	\$13,500,000
29	Public Health Services Account Appropriation	\$21,000,000
30	TOTAL APPROPRIATION	\$48,000,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: The director of the department of
33 community, trade, and economic development shall distribute the

1 appropriations to the following counties and health districts in the
 2 amounts designated:

3				
4	Health District	FY 2010	FY 2011	FY 2010-11
5				Biennium
6	Adams County Health District	\$30,951	\$30,951	\$61,902
7	Asotin County Health District	\$67,714	\$67,714	\$135,428
8	Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
9	Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
10	Clallam County Health and Human Services Department	\$141,752	\$141,752	\$283,504
11	Southwest Washington Health District	\$1,084,473	\$1,084,473	\$2,168,946
12	Columbia County Health District	\$40,529	\$40,529	\$81,058
13	Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
14	Garfield County Health District	\$15,028	\$15,028	\$30,056
15	Grant County Health District	\$118,595	\$118,596	\$237,191
16	Grays Harbor Health Department	\$183,870	183,870	\$367,740
17	Island County Health Department	\$91,892	\$91,892	\$183,784
18	Jefferson County Health and Human Services	\$85,782	\$85,782	\$171,564
19	Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
20	Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338
21	Kittitas County Health Department	\$92,499	\$92,499	\$184,998
22	Klickitat County Health Department	\$62,402	\$62,402	\$124,804
23	Lewis County Health Department	\$105,801	\$105,801	\$211,602
24	Lincoln County Health Department	\$29,705	\$29,705	\$59,410
25	Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
26	Okanogan County Health District	\$63,458	\$63,458	\$126,916
27	Pacific County Health Department	\$77,427	\$77,427	\$154,854
28	Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
29	San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
30	Skagit County Health Department	\$223,927	\$223,927	\$447,854
31	Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
32	Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
33	Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
34	Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
35	Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
36	Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124

1	Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
2	Whitman County Health Department	\$78,733	\$78,733	\$157,466
3	Yakima Health District	\$623,797	\$623,797	\$1,247,594
4	TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000

5 NEW SECTION. **Sec. 709. BELATED CLAIMS.** The agencies and
6 institutions of the state may expend moneys appropriated in this act,
7 upon approval of the office of financial management, for the payment of
8 supplies and services furnished to the agency or institution in prior
9 fiscal biennia.

10 NEW SECTION. **Sec. 710. FOR THE DEPARTMENT OF RETIREMENT**
11 **SYSTEMS--CONTRIBUTIONS TO RETIREMENT SYSTEMS.**

12 The appropriations in this section are subject to the following
13 conditions and limitations: The appropriations for the law enforcement
14 officers' and firefighters' retirement system shall be made on a
15 monthly basis beginning July 1, 2009, consistent with chapter 41.45
16 RCW, and the appropriations for the judges and judicial retirement
17 systems shall be made on a quarterly basis consistent with chapters
18 2.10 and 2.12 RCW.

19 (1) There is appropriated for state contributions to the law
20 enforcement officers' and firefighters' retirement system:

21	General Fund--State Appropriation (FY 2010)	\$29,150,000
22	General Fund--State Appropriation (FY 2011)	\$31,950,000
23	TOTAL APPROPRIATION	\$61,100,000

24 (2) There is appropriated for contributions to the judicial
25 retirement system:

26	General Fund--State Appropriation (FY 2010)	\$11,570,000
27	General Fund--State Appropriation (FY 2011)	\$12,860,000
28	TOTAL APPROPRIATION	\$24,430,000

29 NEW SECTION. **Sec. 711. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
30 **EDUCATION TECHNOLOGY REVOLVING ACCOUNT**

31	General Fund--State Appropriation (FY 2010)	\$8,000,000
32	General Fund--State Appropriation (FY 2011)	\$8,000,000
33	TOTAL APPROPRIATION	\$16,000,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: The appropriations in this section are
3 provided solely for expenditure into the education technology revolving
4 account for the purpose of covering ongoing operational and equipment
5 replacement costs incurred by the K-20 educational network program in
6 providing telecommunication services to network participants.

7 NEW SECTION. **Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
8 **WATER POLLUTION CONTROL REVOLVING ACCOUNT**

9	General Fund--State Appropriation (FY 2010)	\$4,600,000
10	General Fund--State Appropriation (FY 2011)	\$4,600,000
11	TOTAL APPROPRIATION	\$9,200,000

12 The appropriations in this section are subject to the following
13 conditions and limitations: The appropriations are provided solely for
14 expenditure into the water pollution control revolving account.

15 NEW SECTION. **Sec. 713. INCENTIVE SAVINGS--FY 2010.** The sum of
16 one hundred twenty-five million dollars or so much thereof as may be
17 available on June 30, 2010, from the total amount of unspent fiscal
18 year 2010 state general fund appropriations, exclusive of amounts
19 expressly placed into unallotted status by this act, is appropriated
20 for the purposes of RCW 43.79.460 in the manner provided in this
21 section.

22 (1) Of the total appropriated amount, one-half of that portion that
23 is attributable to incentive savings, not to exceed twenty-five million
24 dollars, is appropriated to the savings incentive account for the
25 purpose of improving the quality, efficiency, and effectiveness of
26 agency services, and credited to the agency that generated the savings.

27 (2) The remainder of the total amount, not to exceed one hundred
28 million dollars, is appropriated to the education savings account.

29 NEW SECTION. **Sec. 714. INCENTIVE SAVINGS--FY 2011.** The sum of
30 one hundred twenty-five million dollars or so much thereof as may be
31 available on June 30, 2011, from the total amount of unspent fiscal
32 year 2011 state general fund appropriations, exclusive of amounts
33 expressly placed into unallotted status by this act, is appropriated
34 for the purposes of RCW 43.79.460 in the manner provided in this
35 section.

1 (1) Of the total appropriated amount, one-half of that portion that
2 is attributable to incentive savings, not to exceed twenty-five million
3 dollars, is appropriated to the savings incentive account for the
4 purpose of improving the quality, efficiency, and effectiveness of
5 agency services, and credited to the agency that generated the savings.

6 (2) The remainder of the total amount, not to exceed one hundred
7 million dollars, is appropriated to the education savings account.

8 NEW SECTION. **Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **REVISE PENSION CONTRIBUTION RATES**

10	General Fund--State Appropriation (FY 2010)	(\$46,197,000)
11	General Fund--State Appropriation (FY 2011)	(\$46,608,000)
12	Education Legacy Trust Account--State	
13	Appropriation (FY 2010)	(\$17,000)
14	Education Legacy Trust Account--State	
15	Appropriation (FY 2011)	(\$17,000)
16	General Fund--Federal Appropriation	(\$20,340,000)
17	General Fund--Private/Local Appropriation	(\$1,511,000)
18	Special Account Retirement Contribution Increase	
19	Revolving Account Appropriation	(\$29,697,000)
20	TOTAL APPROPRIATION	(\$144,387,000)

21 The appropriations for state agencies, including institutions of
22 higher education, are subject to the following conditions and
23 limitations: Appropriations are adjusted to reflect changes to agency
24 appropriations to reflect savings resulting from statutory changes to
25 pension funding methods. The office of financial management shall
26 update agency appropriations schedules to reflect the changes to
27 funding levels in this section as identified by agency and fund in LEAP
28 document FMC-2009 dated March 23, 2009. If the bill is not enacted by
29 June 30, 2009, the amount provided in this section shall lapse. To
30 facilitate the transfer of moneys from dedicated funds and accounts,
31 the state treasurer is directed to transfer sufficient moneys from each
32 dedicated fund or account to the special account retirement
33 contribution increase revolving account in accordance with schedules
34 provided by the office of financial management.

35 NEW SECTION. **Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**

1 **COUNTY SUBSTANCE ABUSE PROGRAMS**

2 General Fund--State Appropriation (FY 2010) \$1,300,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: The appropriations in this section are
5 provided solely for allocation to counties that are eligible for
6 funding for chemical dependency or substance abuse treatment programs
7 pursuant to RCW 70.96A.325.

8 NEW SECTION. **Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **SMALL AGENCY TECHNOLOGY POOL**

10 General Fund--State Appropriation (FY 2010) \$250,000

11 General Fund--State Appropriation (FY 2011) \$250,000

12 TOTAL APPROPRIATION \$500,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: The appropriations are provided solely for
15 expenditure into the data processing revolving account for the small
16 agency technology pool.

17 NEW SECTION. **Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
18 **CAPITOL BUILDING CONSTRUCTION ACCOUNT**

19 General Fund--State Appropriation (FY 2010) \$2,312,000

20 General Fund--State Appropriation (FY 2011) \$3,615,000

21 TOTAL APPROPRIATION \$5,927,000

22 The appropriations in this section are subject to the following
23 conditions and limitations: The appropriations are provided solely for
24 expenditure into the capitol building construction account.

25 NEW SECTION. **Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
26 **VETERANS INNOVATIONS PROGRAM ACCOUNT**

27 General Fund--State Appropriation (FY 2010) \$750,000

28 The appropriation in this section is subject to the following
29 conditions and limitations: The appropriation is provided solely for
30 deposit into the veterans innovations program account.

31 NEW SECTION. **Sec. 720. FOR THE DEPARTMENT OF GENERAL**
32 **ADMINISTRATION--O'BRIEN BUILDING IMPROVEMENT**

33 General Fund--State Appropriation (FY 2010) \$1,435,000

1 General Fund--State Appropriation (FY 2011) \$1,435,000
2 TOTAL APPROPRIATION \$2,870,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: The appropriations are provided solely to
5 the general administration for payment of principal, interest, and
6 financing expenses associated with the certificate of participation for
7 the O'Brien building improvement, project number (20081007).

8 NEW SECTION. **Sec. 721. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **COMMUNITY PRESERVATION AND DEVELOPMENT AUTHORITY ACCOUNT**

10 General Fund--State Appropriation (FY 2010) \$500,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The appropriation is provided solely for
13 expenditure into the community preservation and development authority
14 account.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Table with 2 columns: Description and Amount. Rows include: General Fund Appropriation for fire insurance premium distributions (\$8,268,000), General Fund Appropriation for public utility district excise tax distributions (\$48,771,000), General Fund Appropriation for prosecuting attorney distributions (\$6,281,000), 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), 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 (\$18,564,000), Liquor Excise Tax Account Appropriation for liquor excise tax distribution (\$50,950,000), Streamline Sales and Use Tax Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistribution effect of the sourcing law changes (\$65,038,000), Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation (\$7,308,000), Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians (\$4,676,000).

1 Liquor Revolving Account Appropriation for liquor
 2 profits distribution \$80,435,000
 3 Liquor Revolving Account Appropriation for additional
 4 liquor profits distribution to local
 5 governments \$20,677,000
 6 TOTAL APPROPRIATION \$462,797,000

7 The total expenditures from the state treasury under the
 8 appropriations in this section shall not exceed the funds available
 9 under statutory distributions for the stated purposes.

10 NEW SECTION. **Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY**
 11 **CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

12 Impaired Driver Safety Account Appropriation \$2,351,000

13 The appropriation in this section is subject to the following
 14 conditions and limitations: The amount appropriated in this section
 15 shall be distributed quarterly during the 2009-11 biennium in
 16 accordance with RCW 82.14.310. This funding is provided to counties
 17 for the costs of implementing criminal justice legislation including,
 18 but not limited to: Chapter 206, Laws of 1998 (drunk driving
 19 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
 20 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998
 21 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
 22 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
 23 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
 24 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
 25 215, Laws of 1998 (DUI provisions).

26 NEW SECTION. **Sec. 803. FOR THE STATE TREASURER--FOR THE**
 27 **MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

28 Impaired Driver Safety Account Appropriation \$1,543,000

29 The appropriation in this section is subject to the following
 30 conditions and limitations: The amount appropriated in this section
 31 shall be distributed quarterly during the 2009-11 biennium to all
 32 cities ratably based on population as last determined by the office of
 33 financial management. The distributions to any city that substantially
 34 decriminalizes or repeals its criminal code after July 1, 1990, and
 35 that does not reimburse the county for costs associated with criminal

1 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
2 which the city is located. This funding is provided to cities for the
3 costs of implementing criminal justice legislation including, but not
4 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
5 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
6 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
7 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
8 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
9 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
10 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
11 Laws of 1998 (DUI provisions).

12 NEW SECTION. **Sec. 804. FOR THE STATE TREASURER--FEDERAL REVENUES**
13 **FOR DISTRIBUTION**

14 General Fund Appropriation for federal flood control funds
15 distribution \$70,000
16 General Fund Appropriation for federal grazing fees
17 distribution \$2,296,000
18 Forest Reserve Fund Appropriation for federal forest
19 reserve fund distribution \$85,200,000
20 TOTAL APPROPRIATION \$87,566,000

21 The total expenditures from the state treasury under the
22 appropriations in this section shall not exceed the funds available
23 under statutory distributions for the stated purposes.

24 NEW SECTION. **Sec. 805. FOR THE STATE TREASURER--TRANSFERS.**

25 Certified Public Accountants Account: For transfer to the
26 state general fund, \$800,000 for fiscal year 2011 \$800,000
27 State Treasurer's Service Account: For transfer to the
28 state general fund, \$10,000,000 for fiscal year 2010 and
29 \$10,000,000 for fiscal year 2011 \$20,000,000
30 Waste Reduction, Recycling and Litter Control Account: For
31 transfer to the state general fund, \$1,968,000 for fiscal
32 year 2010 and \$1,968,000 for fiscal year 2011 \$3,936,000
33 State Toxics Control Account: For transfer to the state
34 general fund, \$5,940,000 for fiscal year 2010 and
35 \$6,000,000 for fiscal year 2011 \$11,940,000
36 Local Toxics Control Account: For transfer to the state

1 general fund, \$35,560,000 for fiscal year 2010 and
2 \$35,000,000 for fiscal year 2011 \$70,560,000
3 Education Construction Account: For transfer to the state
4 general fund, \$93,427,000 for fiscal year 2010 and
5 \$100,456,000 for fiscal year 2011 \$193,883,000
6 Aquatics Lands Enhancement Account: For transfer to the
7 state general fund, \$3,413,000 for fiscal year 2010
8 and \$3,413,000 for fiscal year 2011 \$6,826,000
9 Local Toxics Control Account: For transfer to the oil
10 spill prevention account for fiscal year 2010 \$4,600,000
11 Drinking Water Assistance Account: For transfer to the
12 drinking water assistance repayment account \$28,600,000
13 Economic Development Strategic Reserve Account: For
14 transfer to the state general fund, \$6,500,000 for
15 fiscal year 2011 \$6,500,000
16 Tobacco Settlement Account: For transfer to the state
17 general fund, in an amount not to exceed the actual
18 amount of the annual payment to the tobacco
19 settlement account \$237,841,000
20 Tobacco Settlement Account: For transfer to the life
21 sciences discovery fund, in an amount not to exceed
22 the actual amount of the strategic contribution
23 supplemental payment to the tobacco settlement
24 account \$5,261,000
25 General Fund: For transfer to the streamline sales and
26 use tax account, \$31,447,000 for fiscal year 2010 and
27 \$33,591,000 for fiscal year 2011 \$65,038,000
28 State Convention and Trade Center Account: For transfer
29 to the state convention and trade center operations
30 account, \$1,000,000 for fiscal year 2010 and \$3,100,000
31 for fiscal year 2011 \$4,100,000
32 Tobacco Prevention and Control Account: For transfer
33 to the state general fund for fiscal year 2010 \$1,961,000
34 Nisqually Earthquake Account: For transfer to the
35 disaster response account for fiscal year 2010 \$500,000
36 Public Service Revolving Fund: For transfer to the
37 state general fund, \$2,000,000 for fiscal year
38 2010 and \$2,000,000 for fiscal year 2011 \$4,000,000

1 Real Estate Commission Account: For transfer to
2 the state general fund, \$2,500,000 for fiscal
3 year 2010 and \$2,500,000 for fiscal year 2011 \$5,000,000
4 Judicial Information Systems Account: For transfer
5 to the state general fund for fiscal year 2010 \$5,000,000
6 Department of Retirement Systems Expense Account: For
7 transfer to the state general fund for fiscal year
8 2011 \$1,500,000
9 Waste Tire Removal Account: For transfer to the state
10 general fund, \$500,000 for fiscal year 2010 and
11 \$500,000 for fiscal year 2011 \$1,000,000
12 Parkland Acquisition Account: For transfer to the state
13 general fund, \$1,500,000 for fiscal year 2010 and
14 \$1,500,000 for fiscal year 2011 \$3,000,000
15 Wildlife Account State: For transfer to the state
16 general fund, \$975,000 for fiscal year 2010 and
17 \$975,000 for fiscal year 2011 \$1,950,000
18 Firearms Range Account: For transfer to the state
19 general fund, \$248,000 for fiscal year 2010 and
20 \$248,000 for fiscal year 2011 \$495,000
21 Recreation Resources Account: For transfer to the state
22 general fund, \$4,901,000 for fiscal year 2010 and
23 \$4,901,000 for fiscal year 2011 \$9,802,000
24 Nonhighway and Off-Road Vehicle Activities Program
25 Account: For transfer to the state general fund,
26 \$4,780,000 for fiscal year 2010 and \$4,780,000 for
27 fiscal year 2011 \$9,560,000
28 Water Quality Capital Account: For transfer to the
29 state general fund, \$14,300,000 for fiscal year
30 2010 and \$14,300,000 for fiscal year 2011 \$28,600,000
31 Flood Control Assistance Account: For transfer to the
32 state general fund, \$2,000,000 for fiscal year
33 2010 \$2,000,000
34 State Drought Preparedness Account: For transfer to
35 the state general fund, \$750,000 for fiscal year
36 2010 \$750,000
37 State Emergency Water Projects Account: For transfer
38 to the state general fund, \$390,000 for fiscal

1 year 2010 \$390,000
2 The Charitable, Educational, Penal, and Reformatory
3 Institutions Account: For transfer to the state
4 general fund, \$4,250,000 for fiscal year 2010 and
5 \$4,250,000 for fiscal year 2011 \$8,500,000
6 Eastern Washington University Capital Projects Account:
7 For transfer to the state general fund, \$1,647,000
8 for fiscal year 2010 and \$1,647,000 for fiscal year
9 2011 \$3,294,000
10 Washington State University Building Account: For
11 transfer to the state general fund, \$7,636,000 for
12 fiscal year 2010 and \$7,636,000 for fiscal year
13 2011 \$15,272,000
14 Central Washington University Building Account: For
15 transfer to the state general fund, \$1,585,000 for
16 fiscal year 2010 and \$1,585,000 for fiscal year
17 2011 \$3,170,000
18 Western Washington University Capital Projects Account:
19 For transfer to the state general fund, \$1,551,000
20 for fiscal year 2010 and \$1,551,000 for fiscal year
21 2011 \$3,102,000
22 University of Washington Building Account: For transfer
23 to the state general fund, \$9,732,000 for fiscal
24 year 2010 and \$9,732,000 for fiscal year
25 2011 \$19,464,000
26 The Evergreen State College Capital Projects Account:
27 For transfer to the state general fund, \$1,259,000
28 for fiscal year 2010 and \$1,259,000 for fiscal year
29 2011 \$2,518,000
30 Employment Training Finance Account: For transfer to
31 the state general fund, \$3,000,000 for fiscal year
32 2011 \$3,000,000
33 Washington Distinguished Professorship Account: For
34 transfer to the state general fund, \$5,000,000
35 for fiscal year 2011 \$5,000,000
36 Washington Graduate Fellowship Trust Account: For
37 transfer to the state general fund, \$1,400,000
38 for fiscal year 2011 \$1,400,000

1 College Faculty Awards Trust Account: For transfer
2 to the state general fund, \$4,900,000 for fiscal
3 year 2011 \$4,900,000
4 Community Technical College Capital Projects Account:
5 For transfer to the state general fund, \$9,241,000
6 for fiscal year 2010 and \$9,241,000 for fiscal
7 year 2011 \$18,482,000
8 State Vehicle Parking Account: For transfer to the
9 state general fund, \$546,000 for fiscal year 2010
10 and \$546,000 for fiscal year 2011 \$1,092,000
11 Energy Freedom Account: For transfer to the state
12 general fund, \$2,978,000 for fiscal year 2010
13 and \$2,978,000 for fiscal year 2011 \$5,956,000
14 Thurston County Capital Facilities Account: For
15 transfer to the state general fund, \$4,194,000 for
16 fiscal year 2010 and \$4,194,000 for fiscal year
17 2011 \$8,388,000
18 Public Works Assistance Account: For transfer to
19 the state general fund, \$184,000,000 for fiscal
20 year 2010 and \$184,000,000 for fiscal year 2011 \$368,000,000
21 Budget Stabilization Account: For transfer to the
22 state general fund for fiscal year 2010 \$45,130,000
23 Liquor Revolving Account: For transfer to the state
24 general fund, \$31,000,000 for fiscal year 2010 and
25 \$31,000,000 for fiscal year 2011 \$62,000,000
26 General Fund State: For transfer to the education
27 legacy trust account, \$45,000,000 for fiscal year
28 2010 and \$44,000,000 for fiscal year 2011 \$89,000,000
29 Public Works Assistance Account: For transfer to the
30 drinking water assistance account, \$4,000,000 for
31 fiscal year 2010 and \$4,000,000 for fiscal year
32 2011 \$8,000,000

(End of part)

1 (3) Each project will be planned and designed to take optimal
2 advantage of Internet technologies and protocols. Agencies shall
3 ensure that the project is in compliance with the architecture,
4 infrastructure, principles, policies, and standards of digital
5 government as maintained by the information services board.

6 (4) The agency shall produce a feasibility study for information
7 technology projects at the direction of the information services board
8 and in accordance with published department of information services
9 policies and guidelines. At a minimum, such studies shall include a
10 statement of: (a) The purpose or impetus for change; (b) the business
11 value to the agency, including an examination and evaluation of
12 benefits, advantages, and cost; (c) a comprehensive risk assessment
13 based on the proposed project's impact on both citizens and state
14 operations, its visibility, and the consequences of doing nothing; (d)
15 the impact on agency and statewide information infrastructure; and (e)
16 the impact of the proposed enhancements to an agency's information
17 technology capabilities on meeting service delivery demands.

18 (5) The agency shall produce a comprehensive management plan for
19 each project. The plan or plans shall address all factors critical to
20 successful completion of each project. The plan(s) shall include, but
21 is not limited to, the following elements: A description of the
22 problem or opportunity that the information technology project is
23 intended to address; a statement of project objectives and assumptions;
24 a definition and schedule of phases, tasks, and activities to be
25 accomplished; and the estimated cost of each phase. The planning for
26 the phased approach shall be such that the business case justification
27 for a project needs to demonstrate how the project recovers cost or
28 adds measurable value or positive cost benefit to the agency's business
29 functions within each development cycle.

30 (6) The agency shall produce quality assurance plans for
31 information technology projects. Consistent with the direction of the
32 information services board and the published policies and guidelines of
33 the department of information services, the quality assurance plan
34 shall address all factors critical to successful completion of the
35 project and successful integration with the agency and state
36 information technology infrastructure. At a minimum, quality assurance
37 plans shall provide time and budget benchmarks against which project
38 progress can be measured, a specification of quality assurance

1 responsibilities, and a statement of reporting requirements. The
2 quality assurance plans shall set out the functionality requirements
3 for each phase of a project.

4 (7) A copy of each feasibility study, project management plan, and
5 quality assurance plan shall be provided to the department of
6 information services, the office of financial management, and
7 legislative fiscal committees. The plans and studies shall demonstrate
8 a sound business case that justifies the investment of taxpayer funds
9 on any new project, an assessment of the impact of the proposed system
10 on the existing information technology infrastructure, the disciplined
11 use of preventative measures to mitigate risk, and the leveraging of
12 private-sector expertise as needed. Authority to expend any funds for
13 individual information systems projects is conditioned on the approval
14 of the relevant feasibility study, project management plan, and quality
15 assurance plan by the department of information services and the office
16 of financial management.

17 (8) Quality assurance status reports shall be submitted to the
18 department of information services, the office of financial management,
19 and legislative fiscal committees at intervals specified in the
20 project's quality assurance plan.

21 NEW SECTION. **Sec. 903. VIDEO TELECOMMUNICATIONS.** The department
22 of information services shall act as lead agency in coordinating video
23 telecommunications services for state agencies. As lead agency, the
24 department shall develop standards and common specifications for leased
25 and purchased telecommunications equipment and assist state agencies in
26 developing a video telecommunications expenditure plan. No agency may
27 spend any portion of any appropriation in this act for new video
28 telecommunication equipment, new video telecommunication transmission,
29 or new video telecommunication programming, or for expanding current
30 video telecommunication systems without first complying with chapter
31 43.105 RCW, including but not limited to, RCW 43.105.041(2), and
32 without first submitting a video telecommunications expenditure plan,
33 in accordance with the policies of the department of information
34 services, for review and assessment by the department of information
35 services under RCW 43.105.052. Prior to any such expenditure by a
36 public school, a video telecommunications expenditure plan shall be
37 approved by the superintendent of public instruction. The office of

1 the superintendent of public instruction shall submit the plans to the
2 department of information services in a form prescribed by the
3 department. The office of the superintendent of public instruction
4 shall coordinate the use of video telecommunications in public schools
5 by providing educational information to local school districts and
6 shall assist local school districts and educational service districts
7 in telecommunications planning and curriculum development. Prior to
8 any such expenditure by a public institution of postsecondary
9 education, a telecommunications expenditure plan shall be approved by
10 the higher education coordinating board. The higher education
11 coordinating board shall coordinate the use of video telecommunications
12 for instruction and instructional support in postsecondary education,
13 including the review and approval of instructional telecommunications
14 course offerings.

15 NEW SECTION. **Sec. 904.** Agencies shall make use of the department
16 of information services when acquiring information technology services,
17 products, and assets. "Information technology services" means the
18 acquisition, provisioning, or approval of hardware, software, and
19 purchased or personal services provided by the department of
20 information services. If an information technology enterprise service
21 is provided by the department, or an agency has a specific requirement
22 to acquire hardware, software, or purchased or personal services
23 directly, the agency shall consult with the department of information
24 services.

25 NEW SECTION. **Sec. 905.** As part of a comprehensive state
26 information technology strategy, the department of information
27 services, with guidance from the information services board, shall
28 assist agencies in considering new technologies and approaches that can
29 be applied to achieve greater efficiencies and more effectively support
30 the agency's mission. These technologies and approaches may include
31 holistic virtualization strategies, wide area network (WAN)
32 technologies, voice over internet protocol/internet protocol (VOIP/IP)
33 communication systems and voicemail management, and state server
34 management.

1 NEW SECTION. **Sec. 909. STATUTORY APPROPRIATIONS.** In addition
2 to the amounts appropriated in this act for revenues for distribution,
3 state contributions to the law enforcement officers' and fire fighters'
4 retirement system plan 2, and bond retirement and interest including
5 ongoing bond registration and transfer charges, transfers, interest on
6 registered warrants, and certificates of indebtedness, there is also
7 appropriated such further amounts as may be required or available for
8 these purposes under any statutory formula or under chapters 39.94 and
9 39.96 RCW or any proper bond covenant made under law.

10 NEW SECTION. **Sec. 910. BOND EXPENSES.** In addition to such other
11 appropriations as are made by this act, there is hereby appropriated to
12 the state finance committee from legally available bond proceeds in the
13 applicable construction or building funds and accounts such amounts as
14 are necessary to pay the expenses incurred in the issuance and sale of
15 the subject bonds.

16 NEW SECTION. **Sec. 911. VOLUNTARY RETIREMENT, SEPARATION, AND**
17 **DOWNSHIFTING INCENTIVES.** As a management tool to reduce costs and make
18 more effective use of resources, while improving employee productivity
19 and morale, agencies may implement a voluntary retirement, separation,
20 and/or downshifting incentive program that is cost neutral or results
21 in cost savings, provided that such a program is approved by the
22 director of financial management.

23 Agencies participating in this authorization may offer voluntary
24 retirement, separation, and/or downshifting incentives and options
25 according to procedures and guidelines established by the office of
26 financial management, in consultation with the department of personnel
27 and the department of retirement systems. The options may include, but
28 are not limited to, financial incentives for: Voluntary separation or
29 retirement, voluntary leave-without-pay, voluntary workweek or work
30 hour reduction, voluntary downward movement, or temporary separation
31 for development purposes. An employee does not have a contractual
32 right to a financial incentive offered pursuant to this section.

33 Offers shall be reviewed and monitored jointly by the department of
34 personnel and the department of retirement systems. Agencies are
35 required to submit a report by June 30, 2011, to the legislature and
36 the office of financial management on the outcome of their approved

1 incentive program. The report should include information on the
2 details of the program including resulting service delivery changes,
3 agency efficiencies, the cost of the incentive per participant, the
4 total cost to the state, and the projected or actual net dollar savings
5 over the 2009-11 biennium.

6 NEW SECTION. **Sec. 912. COMPENSATION--INSURANCE BENEFITS**

7	General Fund--State Appropriation (FY 2010)	\$28,402,000
8	General Fund--State Appropriation (FY 2011)	\$56,806,000
9	General Fund--Federal Appropriation	\$10,864,000
10	General Fund--Private/Local Appropriation	\$792,000
11	Education Legacy Trust Account--State	
12	Appropriation (FY 2010)	\$65,000
13	Education Legacy Trust Account--State	
14	Appropriation (FY 2011)	\$130,000
15	Dedicated Funds and Accounts Appropriation	\$14,962,000
16	TOTAL APPROPRIATION	\$112,021,000

17 The appropriations in this section are sufficient for the increases
18 in state employee health benefits for state agencies, including
19 institutions of higher education, and are subject to the following
20 conditions and limitations:

21 (1)(a) The monthly employer funding rate for insurance benefit
22 premiums, public employees' benefits board administration, and the
23 uniform medical plan, shall not exceed \$758 per eligible employee for
24 fiscal year 2010. For fiscal year 2011 the monthly employer funding
25 rate shall not exceed \$793 per eligible employee.

26 (b) In order to achieve the level of funding provided for health
27 benefits, the public employees' benefits board shall require any or all
28 of the following: Employee premium copayments, increases in
29 point-of-service cost sharing, the implementation of managed
30 competition, or make other changes to benefits consistent with RCW
31 41.05.065, but in no case to increase the actuarial value of the plans
32 offered as compared to the comparable plans offered to enrollees in
33 calendar year 2007.

34 (c) The health care authority shall deposit any moneys received on
35 behalf of the uniform medical plan as a result of rebates on
36 prescription drugs, audits of hospitals, subrogation payments, or any
37 other moneys recovered as a result of prior uniform medical plan claims

1 payments, into the public employees' and retirees' insurance account to
2 be used for insurance benefits. Such receipts shall not be used for
3 administrative expenditures.

4 (2) The health care authority, subject to the approval of the
5 public employees' benefits board, shall provide subsidies for health
6 benefit premiums to eligible retired or disabled public employees and
7 school district employees who are eligible for medicare, pursuant to
8 RCW 41.05.085. From January 1, 2010, through December 31, 2011, the
9 subsidy shall be \$182.89.

10 (3) Technical colleges, school districts, and educational service
11 districts shall remit to the health care authority for deposit into the
12 public employees' and retirees' insurance account established in RCW
13 41.05.120 the following amounts:

14 (a) For each full-time employee, \$59.66 per month beginning
15 September 1, 2009, and \$65.08 beginning September 1, 2010;

16 (b) For each part-time employee, who at the time of the remittance
17 is employed in an eligible position as defined in RCW 41.32.010 or
18 41.40.010 and is eligible for employer fringe benefit contributions for
19 basic benefits, \$59.66 each month beginning September 1, 2009, and
20 \$65.08 beginning September 1, 2010, prorated by the proportion of
21 employer fringe benefit contributions for a full-time employee that the
22 part-time employee receives. The remittance requirements specified in
23 this subsection shall not apply to employees of a technical college,
24 school district, or educational service district who purchase insurance
25 benefits through contracts with the health care authority.

26 (4) Collective bargaining agreements negotiated for the 2007-2009
27 fiscal biennium as part of the super coalition under chapter 41.80 RCW
28 include employer contributions to health insurance premiums at 88% of
29 the cost. In the absence of a health benefits super coalition
30 collective bargaining agreement for the 2009-11 fiscal biennium, this
31 distribution of costs for super coalition represented employees
32 continues until the end of fiscal year 2010. If necessary to ensure
33 that these represented employees bear no more than 12 percent of the
34 cost of health benefits, during the first six months of calendar year
35 2010 a rebate shall be provided to super coalition employees for any
36 difference between the percentage of costs charged to employees for
37 health care and associated benefits beginning January 1, 2010, and 12
38 percent of the cost of benefits for that employee.

1 (5) The office of financial management shall increase allotments
2 for all agencies and institutions by these appropriation amounts to
3 reflect the amounts identified in LEAP document HWM 6M - 2009, a
4 computerized tabulation developed by the legislative evaluation and
5 accountability program committee on March 25, 2009.

6 NEW SECTION. **Sec. 913. ADMINISTRATIVE EFFICIENCY SAVINGS.** (1)
7 This act includes specific additional administrative reductions in
8 state agencies, excluding higher education institutions. Agencies
9 will, to the greatest extent practicable, accomplish these savings by
10 reducing management costs including Washington Management Service (WMS)
11 positions as directed in subsection (2) of this section, reductions or
12 freezes in salaries, reducing other administrative costs, and improved
13 efficiencies. Agencies will also work to minimize any impacts to
14 clients and front line staff. Any savings must be consistent with
15 collective bargaining agreements.

16 (2) The administrative reductions in state agencies directed by
17 this section assume that there will be an overall reduction in
18 Washington management service and exempt management service positions
19 of 8 percent statewide during fiscal year 2010 and an additional 8
20 percent during fiscal year 2011. By the end of the 2009-11 fiscal
21 biennium, no fewer than 800 Washington management service and exempt
22 management service positions shall be eliminated.

23 **Sec. 914.** RCW 2.68.020 and 2005 c 282 s 11 are each amended to
24 read as follows:

25 There is created an account in the custody of the state treasurer
26 to be known as the judicial information system account. The
27 administrative office of the courts shall maintain and administer the
28 account, in which shall be deposited all moneys received from in-state
29 noncourt users and any out-of-state users of the judicial information
30 system and moneys as specified in RCW 2.68.040 for the purposes of
31 providing judicial information system access to noncourt users and
32 providing an adequate level of automated services to the judiciary.
33 The legislature shall appropriate the funds in the account for the
34 purposes of the judicial information system. The account shall be used
35 for the acquisition of equipment, software, supplies, services, and
36 other costs incidental to the acquisition, development, operation, and

1 administration of information services, telecommunications, systems,
2 software, supplies, and equipment, including the payment of principal
3 and interest on items paid in installments. During the 2009-2011
4 biennium, moneys in the account may be transferred into the state
5 general fund, and may be appropriated to the office of civil legal aid
6 for the purpose of providing civil legal aid services to indigent
7 persons.

8 **Sec. 915.** RCW 18.04.105 and 2004 c 159 s 2 are each amended to
9 read as follows:

10 (1) A license to practice public accounting shall be granted by the
11 board to any person:

12 (a) Who is of good character. Good character, for purposes of this
13 section, means lack of a history of dishonest or felonious acts. The
14 board may refuse to grant a license on the ground of failure to satisfy
15 this requirement only if there is a substantial connection between the
16 lack of good character of the applicant and the professional and
17 ethical responsibilities of a licensee and if the finding by the board
18 of lack of good character is supported by a preponderance of evidence.
19 When an applicant is found to be unqualified for a license because of
20 a lack of good character, the board shall furnish the applicant a
21 statement containing the findings of the board and a notice of the
22 applicant's right of appeal;

23 (b) Who has met the educational standards established by rule as
24 the board determines to be appropriate;

25 (c) Who has passed an examination;

26 (d) Who has had one year of experience which is gained:

27 (i) Through the use of accounting, issuing reports on financial
28 statements, management advisory, financial advisory, tax, tax advisory,
29 or consulting skills;

30 (ii) While employed in government, industry, academia, or public
31 practice; and

32 (iii) Meeting the competency requirements in a manner as determined
33 by the board to be appropriate and established by board rule; and

34 (e) Who has paid appropriate fees as established by rule by the
35 board.

36 (2) The examination described in subsection (1)(c) of this section
37 shall test the applicant's knowledge of the subjects of accounting and

1 auditing, and other related fields the board may specify by rule. The
2 time for holding the examination is fixed by the board and may be
3 changed from time to time. The board shall prescribe by rule the
4 methods of applying for and taking the examination, including methods
5 for grading examinations and determining a passing grade required of an
6 applicant for a license. The board shall to the extent possible see to
7 it that the grading of the examination, and the passing grades, are
8 uniform with those applicable to all other states. The board may make
9 use of all or a part of the uniform certified public accountant
10 examination and advisory grading service of the American Institute of
11 Certified Public Accountants and may contract with third parties to
12 perform administrative services with respect to the examination as the
13 board deems appropriate to assist it in performing its duties under
14 this chapter. The board shall establish by rule provisions for
15 transitioning to a new examination structure or to a new media for
16 administering the examination.

17 (3) The board shall charge each applicant an examination fee for
18 the initial examination or for reexamination. The applicable fee shall
19 be paid by the person at the time he or she applies for examination,
20 reexamination, or evaluation of educational qualifications. Fees for
21 examination, reexamination, or evaluation of educational qualifications
22 shall be determined by the board under chapter 18.04 RCW. There is
23 established in the state treasury an account to be known as the
24 certified public accountants' account. All fees received from
25 candidates to take any or all sections of the certified public
26 accountant examination shall be used only for costs related to the
27 examination. During the 2009-2011 fiscal biennium, the legislature may
28 transfer from the certified public accountants' account to the state
29 general fund such amounts as reflect the excess fund balance of the
30 account.

31 (4) Persons who on June 30, 2001, held valid certificates
32 previously issued under this chapter shall be deemed to be certificate
33 holders, subject to the following:

34 (a) Certificate holders may, prior to June 30, 2006, petition the
35 board to become licensees by documenting to the board that they have
36 gained one year of experience through the use of accounting, issuing
37 reports on financial statements, management advisory, financial

1 advisory, tax, tax advisory, or consulting skills, without regard to
2 the eight-year limitation set forth in (b) of this subsection, while
3 employed in government, industry, academia, or public practice.

4 (b) Certificate holders who do not petition to become licensees
5 prior to June 30, 2006, may after that date petition the board to
6 become licensees by documenting to the board that they have one year of
7 experience acquired within eight years prior to applying for a license
8 through the use of accounting, issuing reports on financial statements,
9 management advisory, financial advisory, tax, tax advisory, or
10 consulting skills in government, industry, academia, or public
11 practice.

12 (c) Certificate holders who petition the board pursuant to (a) or
13 (b) of this subsection must also meet competency requirements in a
14 manner as determined by the board to be appropriate and established by
15 board rule.

16 (d) Any certificate holder petitioning the board pursuant to (a) or
17 (b) of this subsection to become a licensee must submit to the board
18 satisfactory proof of having completed an accumulation of one hundred
19 twenty hours of CPE during the thirty-six months preceding the date of
20 filing the petition.

21 (e) Any certificate holder petitioning the board pursuant to (a) or
22 (b) of this subsection to become a licensee must pay the appropriate
23 fees established by rule by the board.

24 (5) Certificate holders shall comply with the prohibition against
25 the practice of public accounting in RCW 18.04.345.

26 (6) Persons who on June 30, 2001, held valid certificates
27 previously issued under this chapter are deemed to hold inactive
28 certificates, subject to renewal as inactive certificates, until they
29 have petitioned the board to become licensees and have met the
30 requirements of subsection (4) of this section. No individual who did
31 not hold a valid certificate before July 1, 2001, is eligible to obtain
32 an inactive certificate.

33 (7) Persons deemed to hold inactive certificates under subsection
34 (6) of this section shall comply with the prohibition against the
35 practice of public accounting in subsection (8)(b) of this section and
36 RCW 18.04.345, but are not required to display the term inactive as
37 part of their title, as required by subsection (8)(a) of this section

1 until renewal. Certificates renewed to any persons after June 30,
2 2001, are inactive certificates and the inactive certificate holders
3 are subject to the requirements of subsection (8) of this section.

4 (8) Persons holding an inactive certificate:

5 (a) Must use or attach the term "inactive" whenever using the title
6 CPA or certified public accountant or referring to the certificate, and
7 print the word "inactive" immediately following the title, whenever the
8 title is printed on a business card, letterhead, or any other document,
9 including documents published or transmitted through electronic media,
10 in the same font and font size as the title; and

11 (b) Are prohibited from practicing public accounting.

12 **Sec. 916.** RCW 18.85.061 and 2008 c 23 s 29 are each amended to
13 read as follows:

14 All fees required under this chapter shall be set by the director
15 in accordance with RCW 43.24.086 and shall be paid to the state
16 treasurer. All fees paid under the provisions of this chapter shall be
17 placed in the real estate commission account in the state treasury.
18 All money derived from fines imposed under this chapter shall be
19 deposited in the real estate education program account created in RCW
20 18.85.321. During the 2009-2011 fiscal biennium, the legislature may
21 transfer from the real estate commission account to the state general
22 fund such amounts as reflect the excess fund balance of the account.

23 **Sec. 917.** RCW 18.85.220 and 1993 c 50 s 1 are each amended to read
24 as follows:

25 All fees required under this chapter shall be set by the director
26 in accordance with RCW 43.24.086 and shall be paid to the state
27 treasurer. All fees paid under the provisions of this chapter shall be
28 placed in the real estate commission account in the state treasury.
29 All money derived from fines imposed under this chapter shall be
30 deposited in the real estate education account created by RCW
31 18.85.317. During the 2009-2011 fiscal biennium, the legislature may
32 transfer from the real estate commission account to the state general
33 fund such amounts as reflect the excess fund balance of the account.

34 **Sec. 918.** RCW 28B.30.730 and 2002 c 238 s 302 are each amended to
35 read as follows:

1 For the purpose of financing the cost of any projects, the board is
2 hereby authorized to adopt the resolution or resolutions and prepare
3 all other documents necessary for the issuance, sale and delivery of
4 the bonds or any part thereof at such time or times as it shall deem
5 necessary and advisable. Said bonds:

6 (1) Shall not constitute

7 (a) An obligation, either general or special, of the state; or

8 (b) A general obligation of Washington State University or of the
9 board;

10 (2) Shall be

11 (a) Either registered or in coupon form; and

12 (b) Issued in denominations of not less than one hundred dollars;

13 and

14 (c) Fully negotiable instruments under the laws of this state; and

15 (d) Signed on behalf of the university by the president of the
16 board, attested by the secretary or the treasurer of the board, have
17 the seal of the university impressed thereon or a facsimile of such
18 seal printed or lithographed in the bottom border thereof, and the
19 coupons attached thereto shall be signed with the facsimile signatures
20 of such president and secretary;

21 (3) Shall state

22 (a) The date of issue; and

23 (b) The series of the issue and be consecutively numbered within
24 the series; and

25 (c) That the bond is payable both principal and interest solely out
26 of the bond retirement fund;

27 (4) Each series of bonds shall bear interest, payable either
28 annually or semiannually, as the board may determine;

29 (5) Shall be payable both principal and interest out of the bond
30 retirement fund;

31 (6) Shall be payable at such times over a period of not to exceed
32 forty years from date of issuance, at such place or places, and with
33 such reserved rights of prior redemption, as the board may prescribe;

34 (7) Shall be sold in such manner and at such price as the board may
35 prescribe;

36 (8) Shall be issued under and subject to such terms, conditions and
37 covenants providing for the payment of the principal thereof and
38 interest thereon and such other terms, conditions, covenants and

1 protective provisions safeguarding such payment, not inconsistent with
2 RCW 28B.30.700 through 28B.30.780, and as found to be necessary by the
3 board for the most advantageous sale thereof, which may include but not
4 be limited to:

5 (a) A covenant that the building fees shall be established,
6 maintained and collected in such amounts that will provide money
7 sufficient to pay the principal of and interest on all bonds payable
8 out of the bond retirement account, to set aside and maintain the
9 reserves required to secure the payment of such principal and interest,
10 and to maintain any coverage which may be required over such principal
11 and interest;

12 (b) A covenant that a reserve account shall be created in the bond
13 retirement fund to secure the payment of the principal of and interest
14 on all bonds issued and a provision made that certain amounts be set
15 aside and maintained therein;

16 (c) A covenant that sufficient moneys may be transferred from the
17 Washington State University building account to the bond retirement
18 account when ordered by the board of regents in the event there is ever
19 an insufficient amount of money in the bond retirement account to pay
20 any installment of interest or principal and interest coming due on the
21 bonds or any of them;

22 (d) A covenant fixing conditions under which bonds on a parity with
23 any bonds outstanding may be issued.

24 The proceeds of the sale of all bonds shall be deposited in the
25 state treasury to the credit of the Washington State University
26 building account and shall be used solely for paying the costs of the
27 projects. The Washington State University building account shall be
28 credited with the investment income derived pursuant to RCW 43.84.080
29 on the investable balances of scientific permanent fund and
30 agricultural permanent fund, less the allocation to the state
31 treasurer's service fund pursuant to RCW 43.08.190. During the ((2001-
32 2003)) 2009-2011 fiscal biennium, the legislature may transfer from the
33 Washington State University building account to the state general fund
34 such amounts as reflect the excess fund balance of the account.

35 **Sec. 919.** RCW 28B.35.370 and 1991 sp.s. c 13 s 49 are each amended
36 to read as follows:

37 Within thirty-five days from the date of collection thereof all

1 building fees of each regional university and The Evergreen State
2 College shall be paid into the state treasury and these together with
3 such normal school fund revenues as provided in RCW 28B.35.751 as are
4 received by the state treasury shall be credited as follows:

5 (1) On or before June 30th of each year the board of trustees of
6 each regional university and The Evergreen State College, if issuing
7 bonds payable out of its building fees and above described normal
8 school fund revenues, shall certify to the state treasurer the amounts
9 required in the ensuing twelve months to pay and secure the payment of
10 the principal of and interest on such bonds. The amounts so certified
11 by each regional university and The Evergreen State College shall be a
12 prior lien and charge against all building fees and above described
13 normal school fund revenues of such institution. The state treasurer
14 shall thereupon deposit the amounts so certified in the Eastern
15 Washington University capital projects account, the Central Washington
16 University capital projects account, the Western Washington University
17 capital projects account, or The Evergreen State College capital
18 projects account respectively, which accounts are hereby created in the
19 state treasury. The amounts deposited in the respective capital
20 projects accounts shall be used exclusively to pay and secure the
21 payment of the principal of and interest on the building bonds issued
22 by such regional universities and The Evergreen State College as
23 authorized by law. If in any twelve month period it shall appear that
24 the amount certified by any such board of trustees is insufficient to
25 pay and secure the payment of the principal of and interest on the
26 outstanding building and above described normal school fund revenue
27 bonds of its institution, the state treasurer shall notify the board of
28 trustees and such board shall adjust its certificate so that all
29 requirements of moneys to pay and secure the payment of the principal
30 of and interest on all such bonds then outstanding shall be fully met
31 at all times.

32 (2) All normal school fund revenue pursuant to RCW 28B.35.751 shall
33 be deposited in the Eastern Washington University capital projects
34 account, the Central Washington University capital projects account,
35 the Western Washington University capital projects account, or The
36 Evergreen State College capital projects account respectively, which
37 accounts are hereby created in the state treasury. The sums deposited
38 in the respective capital projects accounts shall be appropriated and

1 expended exclusively to pay and secure the payment of the principal of
2 and interest on bonds payable out of the building fees and normal
3 school revenue and for the construction, reconstruction, erection,
4 equipping, maintenance, demolition and major alteration of buildings
5 and other capital assets, and the acquisition of sites, rights-of-way,
6 easements, improvements or appurtenances in relation thereto except for
7 any sums transferred therefrom as authorized by law. During the 2009-
8 2011 fiscal biennium, the legislature may transfer from the Central
9 Washington University capital projects account, the Western Washington
10 University capital projects account, the Eastern Washington University
11 capital projects account, and The Evergreen State College capital
12 projects account to the state general fund such amounts as reflect the
13 value of the excess fund balance of these accounts.

14 **Sec. 920.** RCW 28B.50.360 and 2005 c 488 s 922 are each amended to
15 read as follows:

16 Within thirty-five days from the date of start of each quarter all
17 collected building fees of each such community and technical college
18 shall be paid into the state treasury, and shall be credited as
19 follows:

20 (1) On or before June 30th of each year the college board if
21 issuing bonds payable out of building fees shall certify to the state
22 treasurer the amounts required in the ensuing twelve-month period to
23 pay and secure the payment of the principal of and interest on such
24 bonds. The state treasurer shall thereupon deposit the amounts so
25 certified in the community and technical college capital projects
26 account. Such amounts of the funds deposited in the community and
27 technical college capital projects account as are necessary to pay and
28 secure the payment of the principal of and interest on the building
29 bonds issued by the college board as authorized by this chapter shall
30 be exclusively devoted to that purpose. If in any twelve-month period
31 it shall appear that the amount certified by the college board is
32 insufficient to pay and secure the payment of the principal of and
33 interest on the outstanding building bonds, the state treasurer shall
34 notify the college board and such board shall adjust its certificate so
35 that all requirements of moneys to pay and secure the payment of the
36 principal and interest on all such bonds then outstanding shall be
37 fully met at all times.

1 (2) The community and technical college capital projects account is
2 hereby created in the state treasury. The sums deposited in the
3 capital projects account shall be appropriated and expended exclusively
4 to pay and secure the payment of the principal of and interest on bonds
5 payable out of the building fees and for the construction,
6 reconstruction, erection, equipping, maintenance, demolition and major
7 alteration of buildings and other capital assets owned by the state
8 board for community and technical colleges in the name of the state of
9 Washington, and the acquisition of sites, rights-of-way, easements,
10 improvements or appurtenances in relation thereto, engineering and
11 architectural services provided by the department of general
12 administration, and for the payment of principal of and interest on any
13 bonds issued for such purposes. During the 2009-2011 fiscal biennium,
14 the legislature may transfer from the community and technical college
15 capital projects account to the state general fund such amounts as
16 reflect the value of the excess fund balance of the account.

17 **Sec. 921.** RCW 28B.50.837 and 2003 c 129 s 2 are each amended to
18 read as follows:

19 (1) The Washington community and technical college exceptional
20 faculty awards program is established. The program shall be
21 administered by the college board. The college faculty awards trust
22 fund hereby created shall be administered by the state treasurer.

23 (2) Funds appropriated by the legislature for the community and
24 technical college exceptional faculty awards program shall be deposited
25 in the college faculty awards trust fund. At the request of the
26 college board, the treasurer shall release the state matching funds to
27 the local endowment fund of the college or its foundation. No
28 appropriation is necessary for the expenditure of moneys from the fund.
29 Expenditures from the fund may be used solely for the exceptional
30 faculty awards program. During the 2009-2011 fiscal biennium, the
31 legislature may transfer from the college faculty awards trust account
32 to the state general fund such amounts as reflect the value of the
33 excess fund balance of the account.

34 **Sec. 922.** RCW 28B.67.030 and 2006 c 112 s 8 are each amended to
35 read as follows:

36 (1) All payments received from a participant in the Washington

1 customized employment training program created in RCW 28B.67.020 shall
2 be deposited into the employment training finance account, which is
3 hereby created in the custody of the state treasurer. Only the state
4 board for community and technical colleges may authorize expenditures
5 from the account and no appropriation is required for expenditures.
6 The money in the account must be used solely for training allowances
7 under the Washington customized employment training program created in
8 RCW 28B.67.020. The deposit of payments under this section from a
9 participant shall cease when the board specifies that the participant
10 has met the monetary obligations of the program. During the 2009-2011
11 fiscal biennium, the legislature may transfer from the employment
12 training finance account to the state general fund such amounts as
13 reflect the value of the excess fund balance of the account.

14 (2) All revenue solicited and received under the provisions of RCW
15 28B.67.020(4) shall be deposited into the employment training finance
16 account to provide training allowances.

17 (3) The definitions in RCW 28B.67.010 apply to this section.

18 **Sec. 923.** RCW 28B.76.565 and 2004 c 275 s 20 are each amended to
19 read as follows:

20 Funds appropriated by the legislature for the distinguished
21 professorship program shall be deposited in the distinguished
22 professorship trust fund. At the request of the higher education
23 coordinating board under RCW 28B.76.575, the treasurer shall release
24 the state matching funds to the designated institution's local
25 endowment fund. No appropriation is required for expenditures from the
26 fund. During the 2009-2011 fiscal biennium, the legislature may
27 transfer from the Washington distinguished professorship trust account
28 to the state general fund such amounts as reflect the value of the
29 excess fund balance of the account.

30 **Sec. 924.** RCW 28B.76.605 and 1987 c 147 s 2 are each amended to
31 read as follows:

32 The Washington graduate fellowship trust fund program is
33 established. The program shall be administered by the higher education
34 coordinating board. The trust fund shall be administered by the state
35 treasurer. During the 2009-2011 fiscal biennium, the legislature may

1 transfer from the Washington graduate fellowship trust account to the
2 state general fund such amounts as reflect the value of the excess fund
3 balance of the account.

4 **Sec. 925.** RCW 28B.105.110 and 2008 c 329 s 908 are each amended to
5 read as follows:

6 (1) The GET ready for math and science scholarship account is
7 created in the custody of the state treasurer.

8 (2) The board shall deposit into the account all money received for
9 the GET ready for math and science scholarship program from
10 appropriations and private sources. The account shall be
11 self-sustaining.

12 (3) Expenditures from the account shall be used for scholarships to
13 eligible students and for purchases of GET units. Purchased GET units
14 shall be owned and held in trust by the board. Expenditures from the
15 account shall be an equal match of state appropriations and private
16 funds raised by the program administrator. During the ~~((2007-09))~~
17 2009-2011 fiscal biennium, expenditures from the account not to exceed
18 five percent may be used by the program administrator to carry out the
19 provisions of RCW 28B.105.090.

20 (4) With the exception of the operating costs associated with the
21 management of the account by the treasurer's office as authorized in
22 chapter 43.79A RCW, the account shall be credited with all investment
23 income earned by the account.

24 (5) Disbursements from the account are exempt from appropriations
25 and the allotment provisions of chapter 43.88 RCW.

26 (6) Disbursements from the account shall be made only on the
27 authorization of the board.

28 **Sec. 926.** RCW 38.52.106 and 2008 c 329 s 909 are each amended to
29 read as follows:

30 The Nisqually earthquake account is created in the state treasury.
31 Moneys may be placed in the account from tax revenues, budget transfers
32 or appropriations, federal appropriations, gifts, or any other lawful
33 source. Moneys in the account may be spent only after appropriation.
34 Moneys in the account shall be used only to support state and local
35 government disaster response and recovery efforts associated with the
36 Nisqually earthquake. During the 2003-2005 fiscal biennium, the

1 legislature may transfer moneys from the Nisqually earthquake account
2 to the disaster response account for fire suppression and mobilization
3 costs. During the 2007-2009 fiscal biennium, moneys in the account may
4 also be used to support disaster response and recovery efforts
5 associated with flood and storm damage. During the 2009-2011 fiscal
6 biennium, the legislature may transfer moneys from the Nisqually
7 earthquake account to the disaster response account for disaster
8 response and recovery efforts associated with flood and storm damage.

9 **Sec. 927.** RCW 41.48.060 and 1991 sp.s. c 13 s 112 are each amended
10 to read as follows:

11 (1) There is hereby established a special account in the state
12 treasury to be known as the OASI contribution account. Such account
13 shall consist of and there shall be deposited in such account: (a) All
14 contributions and penalties collected under RCW 41.48.040 and
15 41.48.050; (b) all moneys appropriated thereto under this chapter; (c)
16 any property or securities belonging to the account; and (d) all sums
17 recovered upon the bond of the custodian or otherwise for losses
18 sustained by the account and all other moneys received for the account
19 from any other source. All moneys in the account shall be mingled and
20 undivided. Subject to the provisions of this chapter, the governor is
21 vested with full power, authority and jurisdiction over the account,
22 including all moneys and property or securities belonging thereto, and
23 may perform any and all acts whether or not specifically designated,
24 which are necessary to the administration thereof and are consistent
25 with the provisions of this chapter. During the 2009-2011 fiscal
26 biennium, moneys in the OASI contribution account may also be
27 transferred into the OASI revolving fund.

28 (2) The OASI contribution account shall be established and held
29 separate and apart from any other funds of the state and shall be used
30 and administered exclusively for the purpose of this chapter.
31 Withdrawals from such account shall be made for, and solely for (a)
32 payment of amounts required to be paid to the secretary of the treasury
33 pursuant to an agreement entered into under RCW 41.48.030; (b) payment
34 of refunds provided for in RCW 41.48.040(3); and (c) refunds of
35 overpayments, not otherwise adjustable, made by a political subdivision
36 or instrumentality.

1 (3) From the OASI contribution account the custodian of the fund
2 [account] shall pay to the secretary of the treasury such amounts and
3 at such time or times as may be directed by the governor in accordance
4 with any agreement entered into under RCW 41.48.030 and the social
5 security act.

6 (4) The treasurer of the state shall be ex officio treasurer and
7 custodian of the OASI contribution account and shall administer such
8 account in accordance with the provisions of this chapter and the
9 directions of the governor and shall pay all warrants drawn upon it in
10 accordance with the provisions of this section and with the regulations
11 as the governor may prescribe pursuant thereto.

12 **Sec. 928.** RCW 41.50.110 and 2008 c 329 s 911 are each amended to
13 read as follows:

14 (1) Except as provided by RCW 41.50.255 and subsection (6) of this
15 section, all expenses of the administration of the department, the
16 expenses of administration of the retirement systems, and the expenses
17 of the administration of the office of the state actuary created in
18 chapters 2.10, 2.12, 41.26, 41.32, 41.40, 41.34, 41.35, 41.37, 43.43,
19 and 44.44 RCW shall be paid from the department of retirement systems
20 expense fund.

21 (2) In order to reimburse the department of retirement systems
22 expense fund on an equitable basis the department shall ascertain and
23 report to each employer, as defined in RCW 41.26.030, 41.32.010,
24 41.35.010, 41.37.010, or 41.40.010, the sum necessary to defray its
25 proportional share of the entire expense of the administration of the
26 retirement system that the employer participates in during the ensuing
27 biennium or fiscal year whichever may be required. Such sum is to be
28 computed in an amount directly proportional to the estimated entire
29 expense of the administration as the ratio of monthly salaries of the
30 employer's members bears to the total salaries of all members in the
31 entire system. It shall then be the duty of all such employers to
32 include in their budgets or otherwise provide the amounts so required.

33 (3) The department shall compute and bill each employer, as defined
34 in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, at the
35 end of each month for the amount due for that month to the department
36 of retirement systems expense fund and the same shall be paid as are
37 its other obligations. Such computation as to each employer shall be

1 made on a percentage rate of salary established by the department.
2 However, the department may at its discretion establish a system of
3 billing based upon calendar year quarters in which event the said
4 billing shall be at the end of each such quarter.

5 (4) The director may adjust the expense fund contribution rate for
6 each system at any time when necessary to reflect unanticipated costs
7 or savings in administering the department.

8 (5) An employer who fails to submit timely and accurate reports to
9 the department may be assessed an additional fee related to the
10 increased costs incurred by the department in processing the deficient
11 reports. Fees paid under this subsection shall be deposited in the
12 retirement system expense fund.

13 (a) Every six months the department shall determine the amount of
14 an employer's fee by reviewing the timeliness and accuracy of the
15 reports submitted by the employer in the preceding six months. If
16 those reports were not both timely and accurate the department may
17 prospectively assess an additional fee under this subsection.

18 (b) An additional fee assessed by the department under this
19 subsection shall not exceed fifty percent of the standard fee.

20 (c) The department shall adopt rules implementing this section.

21 (6) Expenses other than those under RCW 41.34.060(3) shall be paid
22 pursuant to subsection (1) of this section.

23 (7) During the ((2007-2009)) 2009-2011 fiscal biennium, the
24 legislature may transfer from the department of retirement systems'
25 expense fund to the state general fund such amounts as reflect the
26 excess fund balance of the fund.

27 **Sec. 929.** RCW 43.01.225 and 1995 c 215 s 2 are each amended to
28 read as follows:

29 There is hereby established an account in the state treasury to be
30 known as the "state vehicle parking account." All parking rental
31 income resulting from parking fees established by the department of
32 general administration under RCW 46.08.172 at state-owned or leased
33 property shall be deposited in the "state vehicle parking account."
34 Revenue deposited in the "state vehicle parking account" shall be first
35 applied to pledged purposes. Unpledged parking revenues deposited in
36 the "state vehicle parking account" may be used to:

1 (1) Pay costs incurred in the operation, maintenance, regulation,
2 and enforcement of vehicle parking and parking facilities;

3 (2) Support the lease costs and/or capital investment costs of
4 vehicle parking and parking facilities; and

5 (3) Support agency commute trip reduction programs under RCW
6 70.94.521 through 70.94.551.

7 During the 2009-2011 fiscal biennium, the legislature may transfer
8 from the state vehicle parking account to the state general fund such
9 amounts as reflect the excess fund balance of the account.

10 **Sec. 930.** RCW 43.03.310 and 1998 c 164 s 1 are each amended to
11 read as follows:

12 (1) The citizens' commission on salaries for elected officials
13 shall study the relationship of salaries to the duties of members of
14 the legislature, all elected officials of the executive branch of state
15 government, and all judges of the supreme court, court of appeals,
16 superior courts, and district courts, and shall fix the salary for each
17 respective position.

18 (2) Except as provided otherwise in RCW 43.03.305 and this section,
19 the commission shall be solely responsible for its own organization,
20 operation, and action and shall enjoy the fullest cooperation of all
21 state officials, departments, and agencies.

22 (3) Members of the commission shall receive no compensation for
23 their services, but shall be eligible to receive a subsistence
24 allowance and travel expenses pursuant to RCW 43.03.050 and 43.03.060.

25 (4) The members of the commission shall elect a chair from among
26 their number. The commission shall set a schedule of salaries by an
27 affirmative vote of not less than nine members of the commission.

28 (5) The commission shall file its initial schedule of salaries for
29 the elected officials with the secretary of state no later than the
30 first Monday in June, 1987, and shall file a schedule biennially
31 thereafter. Each such schedule shall be filed in legislative bill
32 form, shall be assigned a chapter number and published with the session
33 laws of the legislature, and shall be codified by the statute law
34 committee. The signature of the chair of the commission shall be
35 affixed to each schedule submitted to the secretary of state. The
36 chair shall certify that the schedule has been adopted in accordance
37 with the provisions of state law and with the rules, if any, of the

1 commission. Such schedules shall become effective ninety days after
2 the filing thereof, except as provided in Article XXVIII, section 1 of
3 the state Constitution. State laws regarding referendum petitions
4 shall apply to such schedules to the extent consistent with Article
5 XXVIII, section 1 of the state Constitution.

6 (6) Before the filing of any salary schedule, the commission shall
7 first develop a proposed salary schedule and then hold no fewer than
8 four regular meetings as defined by chapter 42.30 RCW to take public
9 testimony on the proposed schedule within the four months immediately
10 preceding the filing. In the 2009-2011 fiscal biennium, the commission
11 shall hold no more than two regular meetings as defined by chapter
12 42.30 RCW to take public testimony on the proposed schedule within the
13 four months immediately preceding the filing. At the last public
14 hearing that is held as a regular meeting on the proposed schedule, the
15 commission shall adopt the salary schedule as originally proposed or as
16 amended at that meeting that will be filed with the secretary of state.

17 (7) All meetings, actions, hearings, and business of the commission
18 shall be subject in full to the open public meetings act, chapter 42.30
19 RCW.

20 (8) Salaries of the officials referred to in subsection (1) of this
21 section that are in effect on January 12, 1987, shall continue until
22 modified by the commission under this section.

23 **Sec. 931.** RCW 43.08.190 and 2008 c 329 s 912 are each amended to
24 read as follows:

25 There is hereby created a fund within the state treasury to be
26 known as the "state treasurer's service fund." Such fund shall be used
27 solely for the payment of costs and expenses incurred in the operation
28 and administration of the state treasurer's office.

29 Moneys shall be allocated monthly and placed in the state
30 treasurer's service fund equivalent to a maximum of one percent of the
31 trust and treasury average daily cash balances from the earnings
32 generated under the authority of RCW 43.79A.040 and 43.84.080 other
33 than earnings generated from investment of balances in funds and
34 accounts specified in RCW 43.79A.040 or 43.84.092(4). The allocation
35 shall precede the distribution of the remaining earnings as prescribed
36 under RCW 43.79A.040 and 43.84.092. The state treasurer shall

1 establish a uniform allocation rate based on the appropriations for the
2 treasurer's office.

3 During the ((2007-2009)) 2009-2011 fiscal biennium, the legislature
4 may transfer from the state treasurer's service fund to the state
5 general fund such amounts as reflect the excess fund balance of the
6 fund.

7 **Sec. 932.** RCW 43.09.260 and 1995 c 301 s 15 are each amended to
8 read as follows:

9 (1) The examination of the financial affairs of all local
10 governments shall be made at such reasonable, periodic intervals as the
11 state auditor shall determine. However, an examination of the
12 financial affairs of all local governments shall be made at least once
13 in every three years, and an examination of individual local government
14 health and welfare benefit plans and local government self-insurance
15 programs shall be made at least once every two years.

16 (2) During the 2009-2011 fiscal biennium, the state auditor shall
17 conduct biennial audits of local governments with annual revenues of
18 ten million dollars or less and no findings of impropriety for the
19 three-year period immediately preceding the audit period. This
20 subsection does not prohibit the state auditor from conducting audits
21 when fraud is suspected or at the request of local governments.

22 (3) The term local governments for purposes of this chapter
23 includes but is not limited to all counties, cities, and other
24 political subdivisions, municipal corporations, and quasi-municipal
25 corporations, however denominated.

26 (4) The state auditor shall establish a schedule to govern the
27 auditing of local governments which shall include: A designation of
28 the various classifications of local governments; a designation of the
29 frequency for auditing each type of local government; and a description
30 of events which cause a more frequent audit to be conducted.

31 (5) On every such examination, inquiry shall be made as to the
32 financial condition and resources of the local government; whether the
33 Constitution and laws of the state, the ordinances and orders of the
34 local government, and the requirements of the state auditor have been
35 properly complied with; and into the methods and accuracy of the
36 accounts and reports.

1 (6) A report of such examination shall be made and filed in the
2 office of state auditor, and one copy shall be transmitted to the local
3 government. A copy of any report containing findings of noncompliance
4 with state law shall be transmitted to the attorney general. If any
5 such report discloses malfeasance, misfeasance, or nonfeasance in
6 office on the part of any public officer or employee, within thirty
7 days from the receipt of his or her copy of the report, the attorney
8 general shall institute, in the proper county, such legal action as is
9 proper in the premises by civil process and prosecute the same to final
10 determination to carry into effect the findings of the examination.

11 (7) It shall be unlawful for any local government or the
12 responsible head thereof, to make a settlement or compromise of any
13 claim arising out of such malfeasance, misfeasance, or nonfeasance, or
14 any action commenced therefor, or for any court to enter upon any
15 compromise or settlement of such action, without the written approval
16 and consent of the attorney general and the state auditor.

17 **Sec. 933.** RCW 43.09.282 and 2008 c 328 s 6007 are each amended to
18 read as follows:

19 For the purposes of centralized funding, accounting, and
20 distribution of the costs of the audits performed on local governments
21 by the state auditor, there is hereby created an account entitled the
22 municipal revolving account. The state treasurer shall be custodian of
23 the account. All moneys received by the state auditor or by any
24 officer or employee thereof shall be deposited with the state treasurer
25 and credited to the municipal revolving account. Only the state
26 auditor or the auditor's designee may authorize expenditures from the
27 account. No appropriation is required for expenditures. The state
28 auditor shall keep such records as are necessary to detail the auditing
29 costs attributable to the various types of local governments. (~~During~~
30 ~~the 2007-2009 fiscal biennium, the legislature may transfer from the~~
31 ~~municipal revolving account to the Washington state heritage center~~
32 ~~account such amounts as reflect excess fund balance in the account.))
33 During the 2009-2011 fiscal biennium, the state auditor shall reduce
34 the charges for the audits performed on local governments by five
35 percent.~~

1 **Sec. 934.** RCW 43.09.475 and 2006 c 1 s 5 are each amended to read
2 as follows:

3 The performance audits of government account is hereby created in
4 the custody of the state treasurer. Revenue identified in RCW
5 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money
6 in the account shall be used to fund the performance audits and follow-
7 up performance audits under RCW 43.09.470 and shall be expended by the
8 state auditor in accordance with chapter 1, Laws of 2006, and during
9 the 2009-2011 fiscal biennium, money in the account also shall be used
10 for audit assessments of school district compliance with criteria to
11 receive general fund money, for joint legislative audit and review
12 committee duties pursuant to chapter 44.28 RCW, and for other auditing,
13 performance, and accountability activities. During the 2009-2011
14 fiscal biennium, the legislature may transfer from the performance
15 audit of government account to the state general fund such amounts as
16 reflect the excess fund balance of the account. Only the state auditor
17 or the state auditor's designee may authorize expenditures from the
18 account. The account is subject to allotment procedures under chapter
19 43.88 RCW, but an appropriation is not required for expenditures.

20 **Sec. 935.** RCW 43.10.180 and 2007 c 522 s 951 are each amended to
21 read as follows:

22 (1) The attorney general shall keep such records as are necessary
23 to facilitate proper allocation of costs to funds and agencies served
24 and the director of financial management shall prescribe appropriate
25 accounting procedures to accurately allocate costs to funds and
26 agencies served. Billings shall be adjusted in line with actual costs
27 incurred at intervals not to exceed six months.

28 (2) During the ((2007-2009)) 2009-2011 fiscal biennium, all
29 expenses for administration of the office of the attorney general shall
30 be allocated to and paid from the legal services revolving fund in
31 accordance with accounting procedures prescribed by the director of
32 financial management.

33 **Sec. 936.** RCW 43.19.501 and 2008 c 328 s 6016 are each amended to
34 read as follows:

35 The Thurston county capital facilities account is created in the
36 state treasury. The account is subject to the appropriation and

1 allotment procedures under chapter 43.88 RCW. Moneys in the account
2 may be expended for capital projects in facilities owned and managed by
3 the department of general administration in Thurston county. For the
4 2007-2009 biennium, moneys in the account may be used for predesign
5 identified in section 1037, chapter 328, Laws of 2008.

6 During the 2009-2011 fiscal biennium, the legislature may transfer
7 from the Thurston county capital facilities account to the state
8 general fund such amounts as reflect the excess fund balance of the
9 account.

10 **Sec. 937.** RCW 43.79.080 and 1985 c 57 s 36 are each amended to
11 read as follows:

12 There shall be in the state treasury a fund known and designated as
13 the "University of Washington building account". During the 2009-2011
14 fiscal biennium, the legislature may transfer from the University of
15 Washington building account to the state general fund such amounts as
16 reflect the excess fund balance of the account.

17 **Sec. 938.** RCW 43.79.201 and 1995 c 399 s 77 are each amended to
18 read as follows:

19 (1) The charitable, educational, penal and reformatory institutions
20 account is hereby created, in the state treasury, into which account
21 there shall be deposited all moneys arising from the sale, lease or
22 transfer of the land granted by the United States government to the
23 state for charitable, educational, penal and reformatory institutions
24 by section 17 of the enabling act, or otherwise set apart for such
25 institutions, except all moneys arising from the sale, lease, or
26 transfer of that certain one hundred thousand acres of such land
27 assigned for the support of the University of Washington by chapter 91,
28 Laws of 1903 and section 9, chapter 122, Laws of 1893.

29 (2) If feasible, not less than one-half of all income to the
30 charitable, educational, penal, and reformatory institutions account
31 shall be appropriated for the purpose of providing housing, including
32 repair and renovation of state institutions, for persons (~~who are~~
33 ~~mentally ill, developmentally disabled~~) with mental illness or
34 developmental disabilities, or youth who are blind, deaf, or otherwise
35 disabled. If moneys are appropriated for community-based housing, the
36 moneys shall be appropriated to the department of community, trade, and

1 economic development for the housing assistance program under chapter
2 43.185 RCW. During the 2009-2011 fiscal biennium, the legislature may
3 transfer from the charitable, educational, penal and reformatory
4 institutions account to the state general fund such amounts as reflect
5 excess fund balance of the fund.

6 **Sec. 939.** RCW 43.79.460 and 2009 c 4 s 902 are each amended to
7 read as follows:

8 (1) The savings incentive account is created in the custody of the
9 state treasurer. The account shall consist of all moneys appropriated
10 to the account by the legislature. The account is subject to the
11 allotment procedures under chapter 43.88 RCW, but no appropriation is
12 required for expenditures from the account.

13 (2) Within the savings incentive account, the state treasurer may
14 create subaccounts to be credited with incentive savings attributable
15 to individual state agencies, as determined by the office of financial
16 management in consultation with the legislative fiscal committees.
17 Moneys deposited in the subaccounts may be expended only on the
18 authorization of the agency's executive head or designee and only for
19 the purpose of one-time expenditures to improve the quality,
20 efficiency, and effectiveness of services to customers of the state,
21 such as one-time expenditures for employee training, employee
22 incentives, technology improvements, new work processes, or performance
23 measurement. Funds may not be expended from the account to establish
24 new programs or services, expand existing programs or services, or
25 incur ongoing costs that would require future expenditures.

26 (3) For purposes of this section, "incentive savings" means state
27 general fund appropriations that are unspent as of June 30th of a
28 fiscal year, excluding any amounts included in across-the-board
29 reductions under RCW 43.88.110 and excluding unspent appropriations
30 for:

31 (a) Caseload and enrollment in entitlement programs, except to the
32 extent that an agency has clearly demonstrated that efficiencies have
33 been achieved in the administration of the entitlement program.
34 "Entitlement program," as used in this section, includes programs for
35 which specific sums of money are appropriated for pass-through to third
36 parties or other entities;

37 (b) Enrollments in state institutions of higher education;

1 (c) A specific amount contained in a condition or limitation to an
2 appropriation in the biennial appropriations act, if the agency did not
3 achieve the specific purpose or objective of the condition or
4 limitation;

5 (d) Debt service on state obligations; and

6 (e) State retirement system obligations.

7 (4) The office of financial management, after consulting with the
8 legislative fiscal committees, shall report to the treasurer the amount
9 of savings incentives achieved. By December 1, (~~1998~~) 2010, and each
10 December 1st thereafter, the office of financial management shall
11 submit a report to the fiscal committees of the legislature on the
12 implementation of this section. The report shall (a) evaluate the
13 impact of this section on agency reversions and end-of-biennium
14 expenditure patterns, and (b) itemize agency expenditures from the
15 savings recovery account. The office of financial management is
16 relieved from having to submit a report by December 1, 2008.

17 (5) For fiscal year 2009, the legislature may transfer from the
18 savings incentive account to the state general fund such amounts as
19 reflect the fund balance of the account attributable to unspent state
20 general fund appropriations for fiscal year 2008.

21 **Sec. 940.** RCW 43.79.480 and 2005 c 424 s 12 are each amended to
22 read as follows:

23 (1) Moneys received by the state of Washington in accordance with
24 the settlement of the state's legal action against tobacco product
25 manufacturers, exclusive of costs and attorneys' fees, shall be
26 deposited in the tobacco settlement account created in this section
27 except as these moneys are sold or assigned under chapter 43.340 RCW.

28 (2) The tobacco settlement account is created in the state
29 treasury. Moneys in the tobacco settlement account may only be
30 transferred to the health services account for the purposes set forth
31 in RCW 43.72.900, and to the tobacco prevention and control account for
32 purposes set forth in this section. Except during the 2009-2011 fiscal
33 biennium, the legislature shall transfer amounts received as strategic
34 contribution payments as defined in RCW 43.350.010 to the life sciences
35 discovery fund created in RCW 43.350.070.

36 (3) The tobacco prevention and control account is created in the
37 state treasury. The source of revenue for this account is moneys

1 transferred to the account from the tobacco settlement account,
2 investment earnings, donations to the account, and other revenues as
3 directed by law. Expenditures from the account are subject to
4 appropriation. During the 2009-2011 fiscal biennium, the legislature
5 may transfer from the tobacco prevention and control account to the
6 state general fund such amounts as represent the excess fund balance of
7 the account.

8 **Sec. 941.** RCW 43.83B.360 and 1991 sp.s. c 13 s 33 are each amended
9 to read as follows:

10 The proceeds from the sale of bonds authorized by RCW 43.83B.300,
11 and 43.83B.355 through 43.83B.375 shall be deposited in the state
12 emergency water projects revolving account, hereby created in the state
13 treasury, and shall be used exclusively for the purposes specified in
14 RCW 43.83B.300, and 43.83B.355 through 43.83B.375 and for the payment
15 of expenses incurred in the issuance and sale of such bonds. During
16 the 2009-2011 fiscal biennium, the legislature may transfer from the
17 state emergency water projects revolving account to the state general
18 fund such amounts as reflect the excess fund balance of the account.

19 **Sec. 942.** RCW 43.83B.430 and 2002 c 371 s 910 are each amended to
20 read as follows:

21 The state drought preparedness account is created in the state
22 treasury. All receipts from appropriated funds designated for the
23 account and funds transferred from the state emergency water projects
24 revolving account must be deposited into the account. Moneys in the
25 account may be spent only after appropriation. Expenditures from the
26 account may be used only for drought preparedness. During the ((2001-
27 2003)) 2009-2011 fiscal biennium, the legislature may transfer from the
28 state drought preparedness account to the state general fund such
29 amounts as reflect the excess fund balance of the account.

30 **Sec. 943.** RCW 43.135.045 and 2007 c 520 s 6035 and 2007 c 484 s 5
31 are each reenacted and amended to read as follows:

32 (1) The student achievement fund is hereby created in the state
33 treasury.

34 (2) The education construction fund is hereby created in the state
35 treasury.

1 (a) Funds may be appropriated from the education construction fund
2 exclusively for common school construction or higher education
3 construction. During the 2007-2009 fiscal biennium, funds may also be
4 used for higher education facilities preservation and maintenance.
5 During the 2009-2011 fiscal biennium, the legislature may transfer from
6 the education construction fund to the state general fund such amounts
7 as reflect the excess fund balance of the fund.

8 (b) Funds may be appropriated for any other purpose only if
9 approved by a two-thirds vote of each house of the legislature and if
10 approved by a vote of the people at the next general election. An
11 appropriation approved by the people under this subsection shall result
12 in an adjustment to the state expenditure limit only for the fiscal
13 period for which the appropriation is made and shall not affect any
14 subsequent fiscal period.

15 (3) Funds from the student achievement fund shall be appropriated
16 to the superintendent of public instruction strictly for distribution
17 to school districts to meet the provisions set out in the student
18 achievement act. Allocations shall be made on an equal per full-time
19 equivalent student basis to each school district.

20 **Sec. 944.** RCW 43.155.050 and 2008 c 328 s 6002 are each amended to
21 read as follows:

22 (1) The public works assistance account is hereby established in
23 the state treasury. Money may be placed in the public works assistance
24 account from the proceeds of bonds when authorized by the legislature
25 or from any other lawful source. Money in the public works assistance
26 account shall be used to make loans and to give financial guarantees to
27 local governments for public works projects. Moneys in the account may
28 also be appropriated to provide for state match requirements under
29 federal law for projects and activities conducted and financed by the
30 board under the drinking water assistance account. Not more than
31 fifteen percent of the biennial capital budget appropriation to the
32 public works board from this account may be expended or obligated for
33 preconstruction loans, emergency loans, or loans for capital facility
34 planning under this chapter; of this amount, not more than ten percent
35 of the biennial capital budget appropriation may be expended for
36 emergency loans and not more than one percent of the biennial capital
37 budget appropriation may be expended for capital facility planning

1 loans. For the 2007-2009 biennium, moneys in the account may be used
2 for grants for projects identified in section 138, chapter 488, Laws of
3 2005, for the infrastructure investment system implementation plan
4 identified in section 1022, chapter 328, Laws of 2008; for the interest
5 rate buy-down pilot program identified in section 1004, chapter 328,
6 Laws of 2008; and for the housing assistance, weatherization, and
7 affordable housing program identified in section 1005, chapter 328,
8 Laws of 2008.

9 (2) The job development fund is hereby established in the state
10 treasury. Up to fifty million dollars each biennium from the public
11 works assistance account may be transferred into the job development
12 fund. Money in the job development fund may be used solely for job
13 development fund program grants, administrative expenses related to the
14 administration of the job development fund program created in *RCW
15 43.160.230, and for the report prepared by the joint legislative audit
16 and review committee pursuant to RCW 44.28.801(2). Moneys in the job
17 development fund may be spent only after appropriation. The board
18 shall prepare a prioritized list of proposed projects of up to fifty
19 million dollars as part of the department's 2007-09 biennial budget
20 request. The board may provide an additional alternate job development
21 fund project list of up to ten million dollars. The legislature may
22 remove projects from the list recommended by the board. The
23 legislature may not change the prioritization of projects recommended
24 for funding by the board, but may add projects from the alternate list
25 in order of priority, as long as the total funding does not exceed
26 fifty million dollars.

27 (3) During the 2009-2011 fiscal biennium, the legislature may
28 transfer from the public works assistance account to the state general
29 fund such amounts as reflect the excess fund balance of the account.

30 **Sec. 945.** RCW 43.215.907 and 2006 c 265 s 507 are each amended to
31 read as follows:

32 By July 1, (~~2010~~) 2012, the joint legislative audit and review
33 committee shall conduct an evaluation of the implementation and
34 operation of the department of early learning to assess the extent to
35 which:

36 (1) Services and programs that previously were administered
37 separately have been effectively integrated;

1 (2) Reporting and monitoring activities have been consolidated and
2 made more efficient;

3 (3) Consolidation has resulted in administrative efficiencies
4 within the department;

5 (4) Child care and early learning services are improved;

6 (5) Subsidized child care is available;

7 (6) Subsidized child care is affordable;

8 (7) The department has been an effective partner in the
9 private-public partnership;

10 (8) Procedures have been put in place to respect parents and legal
11 guardians and provide them the opportunity to participate in the
12 development of policies and program decisions affecting their children;
13 and

14 (9) The degree and methods by which the agency conducts parent
15 outreach and education.

16 **Sec. 946.** RCW 43.325.040 and 2007 c 348 s 305 are each amended to
17 read as follows:

18 (1) The energy freedom account is created in the state treasury.
19 All receipts from appropriations made to the account and any loan
20 payments of principal and interest derived from loans made under this
21 chapter must be deposited into the account. Moneys in the account may
22 be spent only after appropriation. Expenditures from the account may
23 be used only for assistance for projects consistent with this chapter
24 or otherwise authorized by the legislature.

25 (2) The green energy incentive account is created in the state
26 treasury as a subaccount of the energy freedom account. All receipts
27 from appropriations made to the green energy incentive account shall be
28 deposited into the account, and may be spent only after appropriation.
29 Expenditures from the account may be used only for:

30 (a) Refueling projects awarded under this chapter;

31 (b) Pilot projects for plug-in hybrids, including grants provided
32 for the electrification program set forth in RCW 43.325.110; and

33 (c) Demonstration projects developed with state universities as
34 defined in RCW 28B.10.016 and local governments that result in the
35 design and building of a hydrogen vehicle fueling station.

36 (3) Any state agency receiving funding from the energy freedom
37 account is prohibited from retaining greater than three percent of any

1 funding provided from the energy freedom account for administrative
2 overhead or other deductions not directly associated with conducting
3 the research, projects, or other end products that the funding is
4 designed to produce unless this provision is waived in writing by the
5 director.

6 (4) Any university, institute, or other entity that is not a state
7 agency receiving funding from the energy freedom account is prohibited
8 from retaining greater than fifteen percent of any funding provided
9 from the energy freedom account for administrative overhead or other
10 deductions not directly associated with conducting the research,
11 projects, or other end products that the funding is designed to
12 produce.

13 (5) Subsections (2) through (4) of this section do not apply to
14 assistance awarded for projects under RCW 43.325.020(3).

15 (6) During the 2009-2011 fiscal biennium, the legislature may
16 transfer from the green energy incentive account to the state general
17 fund such amounts as reflect the excess fund balance of the account.

18 **Sec. 947.** RCW 43.330.250 and 2008 c 329 s 914 are each amended to
19 read as follows:

20 (1) The economic development strategic reserve account is created
21 in the state treasury to be used only for the purposes of this section.

22 (2) Only the governor, with the recommendation of the director of
23 the department of community, trade, and economic development and the
24 economic development commission, may authorize expenditures from the
25 account.

26 (3) Expenditures from the account shall be made in an amount
27 sufficient to fund a minimum of one staff position for the economic
28 development commission and to cover any other operational costs of the
29 commission.

30 (4) During the ((2007-2009)) 2009-2011 fiscal biennium, moneys in
31 the account may also be transferred into the state general fund.

32 (5) Expenditures from the account may be made to prevent closure of
33 a business or facility, to prevent relocation of a business or facility
34 in the state to a location outside the state, or to recruit a business
35 or facility to the state. Expenditures may be authorized for:

36 (a) Workforce development;

1 (b) Public infrastructure needed to support or sustain the
2 operations of the business or facility; and

3 (c) Other lawfully provided assistance, including, but not limited
4 to, technical assistance, environmental analysis, relocation
5 assistance, and planning assistance. Funding may be provided for such
6 assistance only when it is in the public interest and may only be
7 provided under a contractual arrangement ensuring that the state will
8 receive appropriate consideration, such as an assurance of job creation
9 or retention.

10 (6) The funds shall not be expended from the account unless:

11 (a) The circumstances are such that time does not permit the
12 director of the department of community, trade, and economic
13 development or the business or facility to secure funding from other
14 state sources;

15 (b) The business or facility produces or will produce significant
16 long-term economic benefits to the state, a region of the state, or a
17 particular community in the state;

18 (c) The business or facility does not require continuing state
19 support;

20 (d) The expenditure will result in new jobs, job retention, or
21 higher incomes for citizens of the state;

22 (e) The expenditure will not supplant private investment; and

23 (f) The expenditure is accompanied by private investment.

24 (7) No more than three million dollars per year may be expended
25 from the account for the purpose of assisting an individual business or
26 facility pursuant to the authority specified in this section.

27 (8) If the account balance in the strategic reserve account exceeds
28 fifteen million dollars at any time, the amount in excess of fifteen
29 million dollars shall be transferred to the education construction
30 account.

31 **Sec. 948.** RCW 46.09.165 and 2007 c 241 s 15 are each amended to
32 read as follows:

33 The nonhighway and off-road vehicle activities program account is
34 created in the state treasury. Moneys in this account are subject to
35 legislative appropriation. The recreation and conservation funding
36 board shall administer the account for purposes specified in this
37 chapter and shall hold it separate and apart from all other money,

1 funds, and accounts of the board. Grants, gifts, or other financial
2 assistance, proceeds received from public bodies as administrative cost
3 contributions, and any moneys made available to the state of Washington
4 by the federal government for outdoor recreation may be deposited into
5 the account. During the 2009-2011 fiscal biennium, the legislature may
6 transfer from the nonhighway and off-road vehicle activities program
7 account to the state general fund such amounts as reflect the excess
8 fund balance of the account.

9 **Sec. 949.** RCW 46.66.080 and 2007 c 199 s 27 are each amended to
10 read as follows:

11 (1) The Washington auto theft prevention authority account is
12 created in the state treasury, subject to appropriation. All revenues
13 from the traffic infraction surcharge in RCW 46.63.110(7)(b) and all
14 receipts from gifts, grants, bequests, devises, or other funds from
15 public and private sources to support the activities of the auto theft
16 prevention authority must be deposited into the account. Expenditures
17 from the account may be used only for activities relating to motor
18 vehicle theft, including education, prevention, law enforcement,
19 investigation, prosecution, and confinement. However, during the 2009-
20 2011 fiscal biennium, the legislature may appropriate moneys from the
21 Washington auto theft prevention authority account for community-based
22 gang intervention and prevention projects; costs associated with
23 housing youth in the juvenile rehabilitation administration's
24 institutional facilities; incarceration costs in the department of
25 corrections; and for development of community capacity and relations
26 between economically distressed communities and government.

27 (2) The authority shall allocate moneys appropriated from the
28 account to public agencies for the purpose of establishing,
29 maintaining, and supporting programs that are designed to prevent motor
30 vehicle theft, including:

31 (a) Financial support to prosecution agencies to increase the
32 effectiveness of motor vehicle theft prosecution;

33 (b) Financial support to a unit of local government or a team
34 consisting of units of local governments to increase the effectiveness
35 of motor vehicle theft enforcement;

36 (c) Financial support for the procurement of equipment and

1 technologies for use by law enforcement agencies for the purpose of
2 enforcing motor vehicle theft laws; and

3 (d) Financial support for programs that are designed to educate and
4 assist the public in the prevention of motor vehicle theft.

5 (3) The costs of administration shall not exceed ten percent of the
6 moneys in the account in any one year so that the greatest possible
7 portion of the moneys available to the authority is expended on
8 combating motor vehicle theft.

9 (4) Prior to awarding any moneys from the Washington auto theft
10 prevention authority account for motor vehicle theft enforcement, the
11 auto theft prevention authority must verify that the financial award
12 includes sufficient funding to cover proposed activities, which
13 include, but are not limited to: (a) State, municipal, and county
14 offender and juvenile confinement costs; (b) administration costs; (c)
15 law enforcement costs; (d) prosecutor costs; and (e) court costs, with
16 a priority being given to ensuring that sufficient funding is available
17 to cover state, municipal, and county offender and juvenile confinement
18 costs.

19 (5) Moneys expended from the Washington auto theft prevention
20 authority account under subsection (2) of this section shall be used to
21 supplement, not supplant, other moneys that are available for motor
22 vehicle theft prevention.

23 (6) Grants provided under subsection (2) of this section constitute
24 reimbursement for purposes of RCW 43.135.060(1).

25 **Sec. 950.** RCW 66.08.170 and 2002 c 371 s 917 are each amended to
26 read as follows:

27 There shall be a fund, known as the "liquor revolving fund", which
28 shall consist of all license fees, permit fees, penalties, forfeitures,
29 and all other moneys, income, or revenue received by the board. The
30 state treasurer shall be custodian of the fund. All moneys received by
31 the board or any employee thereof, except for change funds and an
32 amount of petty cash as fixed by the board within the authority of law
33 shall be deposited each day in a depository approved by the state
34 treasurer and transferred to the state treasurer to be credited to the
35 liquor revolving fund. During the ~~((2001-2003))~~ 2009-2011 fiscal
36 biennium, the legislature may transfer funds from the liquor revolving
37 account to the state general fund ~~((such amounts as reflect the excess~~

1 ~~fund balance of the fund and reductions made by the 2002 supplemental~~
2 ~~appropriations act for administrative efficiencies and savings)) and~~
3 ~~may direct an additional amount of liquor profits to be distributed to~~
4 ~~local governments. Neither the transfer of funds nor the additional~~
5 ~~distribution of liquor profits to local governments during the 2009-~~
6 ~~2011 fiscal biennium may reduce the excess fund distributions that~~
7 ~~otherwise would occur under RCW 66.08.190.~~ Disbursements from the
8 revolving fund shall be on authorization of the board or a duly
9 authorized representative thereof. In order to maintain an effective
10 expenditure and revenue control the liquor revolving fund shall be
11 subject in all respects to chapter 43.88 RCW but no appropriation shall
12 be required to permit expenditures and payment of obligations from such
13 fund.

14 **Sec. 951.** RCW 70.93.180 and 2005 c 518 s 939 are each amended to
15 read as follows:

16 (1) There is hereby created an account within the state treasury to
17 be known as the "waste reduction, recycling, and litter control
18 account". Moneys in the account may be spent only after appropriation.
19 Expenditures from the waste reduction, recycling, and litter control
20 account shall be used as follows:

21 (a) Fifty percent to the department of ecology, for use by the
22 departments of ecology, natural resources, revenue, transportation, and
23 corrections, and the parks and recreation commission, for use in litter
24 collection programs, to be distributed under RCW 70.93.220. The amount
25 to the department of ecology shall also be used for a central
26 coordination function for litter control efforts statewide, for the
27 biennial litter survey under RCW 70.93.200(8), and for statewide public
28 awareness programs under RCW 70.93.200(7). The amount to the
29 department shall also be used to defray the costs of administering the
30 funding, coordination, and oversight of local government programs for
31 waste reduction, litter control, and recycling, so that local
32 governments can apply one hundred percent of their funding to achieving
33 program goals. The amount to the department of revenue shall be used
34 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

35 (b) Twenty percent to the department for local government funding
36 programs for waste reduction, litter control, and recycling activities

1 by cities and counties under RCW 70.93.250, to be administered by the
2 department of ecology; and

3 (c) Thirty percent to the department of ecology for waste reduction
4 and recycling efforts.

5 (2) All taxes imposed in RCW 82.19.010 and fines and bail
6 forfeitures collected or received pursuant to this chapter shall be
7 deposited in the waste reduction, recycling, and litter control account
8 and used for the programs under subsection (1) of this section.

9 (3) Not less than five percent and no more than ten percent of the
10 amount appropriated into the waste reduction, recycling, and litter
11 control account every biennium shall be reserved for capital needs,
12 including the purchase of vehicles for transporting crews and for
13 collecting litter and solid waste. Capital funds shall be distributed
14 among state agencies and local governments according to the same
15 criteria provided in RCW 70.93.220 for the remainder of the funds, so
16 that the most effective waste reduction, litter control, and recycling
17 programs receive the most funding. The intent of this subsection is to
18 provide funds for the purchase of equipment that will enable the
19 department to account for the greatest return on investment in terms of
20 reaching a zero litter goal.

21 (4) During the ((2005-2007)) 2009-2011 fiscal biennium, the
22 legislature may transfer from the waste reduction, recycling, and
23 litter control account to the state general fund such amounts as
24 reflect the excess fund balance of the account. For purposes of
25 subsection (1) of this section, this transfer shall be treated as an
26 expenditure for litter collection.

27 **Sec. 952.** RCW 70.95.521 and 2007 c 518 s 708 are each amended to
28 read as follows:

29 The waste tire removal account is created in the state treasury.
30 All receipts from tire fees imposed under RCW 70.95.510 must be
31 deposited in the account. Moneys in the account may be spent only
32 after appropriation. Expenditures from the account may be used for the
33 cleanup of unauthorized waste tire piles and measures that prevent
34 future accumulation of unauthorized waste tire piles. During the
35 ((2007-2009)) 2009-2011 fiscal biennium, the legislature may transfer
36 from the waste tire removal account to the motor vehicle fund such

1 amounts as reflect the excess fund balance of the waste tire removal
2 account.

3 **Sec. 953.** RCW 70.105D.070 and 2008 c 329 s 921, 2008 c 329 s 920,
4 2008 c 329 s 919, and 2008 c 328 s 6009 are each reenacted and amended
5 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; (~~and~~)

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.

14 (3) The following moneys shall be deposited into the local toxics
15 control account: Those revenues which are raised by the tax imposed
16 under RCW 82.21.030 and which are attributable to that portion of the
17 rate equal to thirty-seven one-hundredths of one percent.

18 (a) Moneys deposited in the local toxics control account shall be
19 used by the department for grants or loans to local governments for the
20 following purposes in descending order of priority:

21 (i) Remedial actions;

22 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

23 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
24 70.95I, and 70.105 RCW;

25 (iv) Funds for a program to assist in the assessment and cleanup of
26 sites of methamphetamine production, but not to be used for the initial
27 containment of such sites, consistent with the responsibilities and
28 intent of RCW 69.50.511; and

29 (v) Cleanup and disposal of hazardous substances from abandoned or
30 derelict vessels, defined for the purposes of this section as vessels
31 that have little or no value and either have no identified owner or
32 have an identified owner lacking financial resources to clean up and
33 dispose of the vessel, that pose a threat to human health or the
34 environment.

35 (b) Funds for plans and programs shall be allocated consistent with
36 the priorities and matching requirements established in chapters
37 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
38 is a Puget Sound partner, as defined in RCW 90.71.010, along with any

1 project that is referenced in the action agenda developed by the Puget
2 Sound partnership under RCW 90.71.310, shall, except as conditioned by
3 RCW 70.105D.120, receive priority for any available funding for any
4 grant or funding programs or sources that use a competitive bidding
5 process. During the 2007-2009 fiscal biennium, moneys in the account
6 may also be used for grants to local governments to retrofit public
7 sector diesel equipment and for storm water planning and implementation
8 activities.

9 (c) Funds may also be appropriated to the department of health to
10 implement programs to reduce testing requirements under the federal
11 safe drinking water act for public water systems. The department of
12 health shall reimburse the account from fees assessed under RCW
13 70.119A.115 by June 30, 1995.

14 (d) To expedite cleanups throughout the state, the department shall
15 partner with local communities and liable parties for cleanups. The
16 department is authorized to use the following additional strategies in
17 order to ensure a healthful environment for future generations:

18 (i) The director may alter grant-matching requirements to create
19 incentives for local governments to expedite cleanups when one of the
20 following conditions exists:

21 (A) Funding would prevent or mitigate unfair economic hardship
22 imposed by the clean-up liability;

23 (B) Funding would create new substantial economic development,
24 public recreational, or habitat restoration opportunities that would
25 not otherwise occur; or

26 (C) Funding would create an opportunity for acquisition and
27 redevelopment of vacant, orphaned, or abandoned property under RCW
28 70.105D.040(5) that would not otherwise occur;

29 (ii) The use of outside contracts to conduct necessary studies;

30 (iii) The purchase of remedial action cost-cap insurance, when
31 necessary to expedite multiparty clean-up efforts.

32 (4) Except for unanticipated receipts under RCW 43.79.260 through
33 43.79.282, moneys in the state and local toxics control accounts may be
34 spent only after appropriation by statute.

35 (5) One percent of the moneys deposited into the state and local
36 toxics control accounts shall be allocated only for public
37 participation grants to persons who may be adversely affected by a
38 release or threatened release of a hazardous substance and to not-for-

1 profit public interest organizations. The primary purpose of these
2 grants is to facilitate the participation by persons and organizations
3 in the investigation and remedying of releases or threatened releases
4 of hazardous substances and to implement the state's solid and
5 hazardous waste management priorities. However, during the 1999-2001
6 fiscal biennium, funding may not be granted to entities engaged in
7 lobbying activities, and applicants may not be awarded grants if their
8 cumulative grant awards under this section exceed two hundred thousand
9 dollars. No grant may exceed sixty thousand dollars. Grants may be
10 renewed annually. Moneys appropriated for public participation from
11 either account which are not expended at the close of any biennium
12 shall revert to the state toxics control account.

13 (6) No moneys deposited into either the state or local toxics
14 control account may be used for solid waste incinerator feasibility
15 studies, construction, maintenance, or operation, or, after January 1,
16 2010, for projects designed to address the restoration of Puget Sound,
17 funded in a competitive grant process, that are in conflict with the
18 action agenda developed by the Puget Sound partnership under RCW
19 90.71.310.

20 (7) The department shall adopt rules for grant or loan issuance and
21 performance.

22 (8) During the ~~((2007-2009))~~ 2009-2011 fiscal biennium, the
23 legislature may transfer from the local toxics control account to ~~((the~~
24 ~~state toxics control))~~ either the state general fund or the oil spill
25 prevention account, or both such amounts as reflect excess fund balance
26 in the account.

27 (9) During the ~~((2007-2009))~~ 2009-2011 fiscal biennium, the local
28 toxics control account may also be used for a standby rescue tug at
29 Neah Bay, local government shoreline update grants, public sector
30 diesel equipment retrofit grants, and oil spill prevention,
31 preparedness, and response activities.

32 (10) During the 2009-2011 fiscal biennium, the legislature may
33 transfer from the state toxics control account to the state general
34 fund such amounts as reflect the excess fund balance in the account.

35 **Sec. 954.** RCW 70.146.100 and 2007 c 233 s 1 are each amended to
36 read as follows:

1 (1) The water quality capital account is created in the state
2 treasury. Moneys in the water quality capital account may be spent
3 only after appropriation.

4 (2) Expenditures from the water quality capital account may only be
5 used: (a) To make grants or loans to public bodies, including grants
6 to public bodies as cost-sharing moneys in any case where federal,
7 local, or other moneys are made available on a cost-sharing basis, for
8 the capital component of water pollution control facilities and
9 activities; (b) for purposes of assisting a public body to obtain an
10 ownership interest in water pollution control facilities; or (c) to
11 defray any part of the capital component of the payments made by a
12 public body to a service provider under a service agreement entered
13 into under RCW 70.150.060. During the 2009-2011 fiscal biennium, the
14 legislature may transfer from the water quality capital account to the
15 state general fund such amounts as reflect the excess fund balance of
16 the account.

17 **Sec. 955.** RCW 74.08A.340 and 2008 c 329 s 922 are each amended to
18 read as follows:

19 The department of social and health services shall operate the
20 Washington WorkFirst program authorized under RCW 74.08A.200 through
21 74.08A.330, 43.330.145, 43.215.545, and 74.25.040, and chapter 74.12
22 RCW within the following constraints:

23 (1) The full amount of the temporary assistance for needy families
24 block grant, plus qualifying state expenditures as appropriated in the
25 biennial operating budget, shall be appropriated to the department each
26 year in the biennial appropriations act to carry out the provisions of
27 the program authorized in RCW 74.08A.200 through 74.08A.330,
28 43.330.145, 43.215.545, and 74.25.040, and chapter 74.12 RCW.

29 (2)(a) The department may expend funds defined in subsection (1) of
30 this section in any manner that will effectively accomplish the outcome
31 measures defined in RCW 74.08A.410 with the following exception:
32 Beginning with the 2007-2009 biennium, funds that constitute the
33 working connections child care program, child care quality programs,
34 and child care licensing functions.

35 (b) Beginning in the 2007-2009 fiscal biennium, the legislature
36 shall appropriate and the departments of early learning and social and
37 health services shall expend funds defined in subsection (1) of this

1 section that constitute the working connections child care program,
2 child care quality programs, and child care licensing functions in a
3 manner that is consistent with the outcome measures defined in RCW
4 74.08A.410.

5 (c) No more than fifteen percent of the amount provided in
6 subsection (1) of this section may be spent for administrative
7 purposes. For the purpose of this subsection, "administrative
8 purposes" does not include expenditures for information technology and
9 computerization needed for tracking and monitoring required by P.L.
10 104-193. The department shall not increase grant levels to recipients
11 of the program authorized in RCW 74.08A.200 through 74.08A.330 and
12 43.330.145 and chapter 74.12 RCW, except as authorized in the omnibus
13 appropriations act for the ((2007-2009)) 2009-2011 biennium.

14 (3) The department shall implement strategies that accomplish the
15 outcome measures identified in RCW 74.08A.410 that are within the
16 funding constraints in this section. Specifically, the department
17 shall implement strategies that will cause the number of cases in the
18 program authorized in RCW 74.08A.200 through 74.08A.330 and 43.330.145
19 and chapter 74.12 RCW to decrease by at least fifteen percent during
20 the 1997-99 biennium and by at least five percent in the subsequent
21 biennium. The department may transfer appropriation authority between
22 funding categories within the economic services program in order to
23 carry out the requirements of this subsection.

24 (4) The department shall monitor expenditures against the
25 appropriation levels provided for in subsection (1) of this section.
26 The department shall quarterly make a determination as to whether
27 expenditure levels will exceed available funding and communicate its
28 finding to the legislature. If the determination indicates that
29 expenditures will exceed funding at the end of the fiscal year, the
30 department shall take all necessary actions to ensure that all services
31 provided under this chapter shall be made available only to the extent
32 of the availability and level of appropriation made by the legislature.

33 **Sec. 956.** RCW 74.13.621 and 2005 c 439 s 1 are each amended to
34 read as follows:

35 (1) Within existing resources, the department shall establish an
36 oversight committee to monitor, guide, and report on kinship care
37 recommendations and implementation activities. The committee shall:

1 (a) Draft a kinship care definition that is restricted to persons
2 related by blood, marriage, or adoption, including marriages that have
3 been dissolved, or for a minor defined as an "Indian child" under the
4 federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the
5 definition of "extended family member" under the federal Indian child
6 welfare act, and a set of principles. If the committee concludes that
7 one or more programs or services would be more efficiently and
8 effectively delivered under a different definition of kin, it shall
9 state what definition is needed, and identify the program or service in
10 the report. It shall also provide evidence of how the program or
11 service will be more efficiently and effectively delivered under the
12 different definition. The department shall not adopt rules or policies
13 changing the definition of kin without authorizing legislation;

14 (b) Monitor and provide consultation on the implementation of
15 recommendations contained in the 2002 kinship care report, including
16 but not limited to the recommendations relating to legal and respite
17 care services and resources;

18 (c) Partner with nonprofit organizations and private sector
19 businesses to guide a public education awareness campaign; and

20 (d) Assist with developing future recommendations on kinship care
21 issues.

22 (2) The department shall consult with the oversight committee on
23 its efforts to better collaborate and coordinate services to benefit
24 kinship care families.

25 (3) The oversight committee must consist of a minimum of thirty
26 percent kinship caregivers, who shall represent a diversity of kinship
27 families. Statewide representation with geographic, ethnic, and gender
28 diversity is required. Other members shall include representatives of
29 the department, representatives of relevant state agencies,
30 representatives of the private nonprofit and business sectors, child
31 advocates, representatives of Washington state Indian tribes as defined
32 under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and
33 representatives of the legal or judicial field. Birth parents, foster
34 parents, and others who have an interest in these issues may also be
35 included.

36 (4) To the extent funding is available, the department may
37 reimburse nondepartmental members of the oversight committee for costs
38 incurred in participating in the meetings of the oversight committee.

1 (5) The kinship care oversight committee shall update the
2 legislature and governor annually on committee activities, with the
3 first update due by January 1, 2006.

4 (6) This section expires (~~January 1, 2010~~) June 30, 2011.

5 **Sec. 957.** RCW 77.12.170 and 2005 c 418 s 3, 2005 c 225 s 4, 2005
6 c 224 s 4, and 2005 c 42 s 4 are each reenacted and amended to read as
7 follows:

8 (1) There is established in the state treasury the state wildlife
9 account which consists of moneys received from:

10 (a) Rentals or concessions of the department;

11 (b) The sale of real or personal property held for department
12 purposes;

13 (c) The assessment of administrative penalties, and the sale of
14 licenses, permits, tags, and stamps required by chapter 77.32 RCW and
15 RCW 77.65.490, except annual resident adult saltwater and all annual
16 razor clam and shellfish licenses, which shall be deposited into the
17 state general fund;

18 (d) Fees for informational materials published by the department;

19 (e) Fees for personalized vehicle, Wild on Washington, and
20 Endangered Wildlife license plates and Washington's Wildlife license
21 plate collection as provided in chapter 46.16 RCW;

22 (f) Articles or wildlife sold by the director under this title;

23 (g) Compensation for damage to department property or wildlife
24 losses or contributions, gifts, or grants received under RCW 77.12.320;

25 (h) Excise tax on anadromous game fish collected under chapter
26 82.27 RCW;

27 (i) The sale of personal property seized by the department for
28 fish, shellfish, or wildlife violations;

29 (j) The department's share of revenues from auctions and raffles
30 authorized by the commission; and

31 (k) The sale of watchable wildlife decals under RCW 77.32.560.

32 (2) State and county officers receiving any moneys listed in
33 subsection (1) of this section shall deposit them in the state treasury
34 to be credited to the state wildlife account. During the 2009-2011
35 fiscal biennium, the legislature may transfer from the state wildlife
36 account to the state general fund such amounts as reflect the excess
37 fund balance of the account.

1 **Sec. 958.** RCW 77.32.010 and 2008 c 329 s 923 are each amended to
2 read as follows:

3 (1) Except as otherwise provided in this chapter, a recreational
4 license issued by the director is required to hunt for or take wild
5 animals or wild birds, fish for, take, or harvest fish, shellfish, and
6 seaweed. A recreational fishing or shellfish license is not required
7 for carp, smelt, and crawfish, and a hunting license is not required
8 for bullfrogs.

9 (2) A permit issued by the department is required to park a motor
10 vehicle upon improved department access facilities.

11 (3) During the 2007-09 fiscal biennium to enable the implementation
12 of the pilot project established in section 307, chapter 329, Laws of
13 2008, a fishing permit issued to a nontribal member by the Colville
14 Tribes shall satisfy the license requirements in subsection (1) of this
15 section on the waters of Lake Rufus Woods and on the north shore of
16 Lake Rufus Woods, and a Colville Tribes tribal member identification
17 card shall satisfy the license requirements in subsection (1) of this
18 section on all waters of Lake Rufus Woods.

19 (4) During the 2009-2011 fiscal biennium to enable the
20 implementation of the pilot project established in section 307 of this
21 act, a fishing permit issued to a nontribal member by the Colville
22 Tribes shall satisfy the license requirements in subsection (1) of this
23 section on the waters of Lake Rufus Woods and on the north shore of
24 Lake Rufus Woods, and a Colville Tribes tribal member identification
25 card shall satisfy the license requirements in subsection (1) of this
26 section on all waters of Lake Rufus Woods.

27 **Sec. 959.** RCW 79.64.040 and 2007 c 522 s 958 are each amended to
28 read as follows:

29 (1) The board shall determine the amount deemed necessary in order
30 to achieve the purposes of this chapter and shall provide by rule for
31 the deduction of this amount from the moneys received from all leases,
32 sales, contracts, licenses, permits, easements, and rights-of-way
33 issued by the department and affecting state lands and aquatic lands,
34 provided that no deduction shall be made from the proceeds from
35 agricultural college lands.

36 (2) Moneys received as deposits from successful bidders, advance

1 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150
2 prior to December 1, 1981, which have not been subjected to deduction
3 under this section are not subject to deduction under this section.

4 (3) Except as otherwise provided in subsection (5) of this section,
5 the deductions authorized under this section shall not exceed twenty-
6 five percent of the moneys received by the department in connection
7 with any one transaction pertaining to state lands and aquatic lands
8 other than second-class tide and shore lands and the beds of navigable
9 waters, and fifty percent of the moneys received by the department
10 pertaining to second-class tide and shore lands and the beds of
11 navigable waters.

12 (4) In the event that the department sells logs using the contract
13 harvesting process described in RCW 79.15.500 through 79.15.530, the
14 moneys received subject to this section are the net proceeds from the
15 contract harvesting sale.

16 (5) During the ((2007-2009)) 2009-2011 fiscal biennium, the twenty-
17 five percent limitation on deductions set in subsection (3) of this
18 section may be increased up to thirty percent by the board(~~(, provided~~
19 ~~the total amount deducted does not exceed the total appropriations in~~
20 ~~the operating and capital budgets for the fiscal period. At the end of~~
21 ~~the fiscal period, any amounts deducted in excess of the appropriations~~
22 ~~shall be transferred to the appropriate beneficiary distribution~~
23 ~~accounts)).~~

24 **Sec. 960.** RCW 79A.05.170 and 1991 sp.s. c 13 s 23 are each amended
25 to read as follows:

26 (1) Any lands owned by the state parks and recreation commission,
27 which are determined to be surplus to the needs of the state for
28 development for state park purposes and which the commission proposes
29 to deed to a local government or other entity, shall be accompanied by
30 a clause requiring that if the land is not used for outdoor recreation
31 purposes, ownership of the land shall revert to the state parks and
32 recreation commission.

33 (2) The state parks and recreation commission, in cases where land
34 subject to such a reversionary clause is proposed for use or disposal
35 for purposes other than recreation, shall require that, if the land is
36 surplus to the needs of the commission for park purposes at the time
37 the commission becomes aware of its proposed use for nonrecreation

1 purposes, the holder of the land or property shall reimburse the
2 commission for the release of the reversionary interest in the land.
3 The reimbursement shall be in the amount of the fair market value of
4 the reversionary interest as determined by a qualified appraiser
5 agreeable to the commission. Appraisal costs shall be borne by the
6 local entity which holds title to the land.

7 (3) Any funds generated under a reimbursement under this section
8 shall be deposited in the parkland acquisition account which is hereby
9 created in the state treasury. Moneys in this account are to be used
10 solely for the purchase or acquisition of property for use as state
11 park property by the commission, as directed by the legislature; all
12 such funds shall be subject to legislative appropriation. During the
13 2009-2011 fiscal biennium, the legislature may transfer from the
14 parkland acquisition account to the state general fund such amounts as
15 reflect the excess fund balance of the account.

16 **Sec. 961.** RCW 79A.25.200 and 2007 c 241 s 53 are each amended to
17 read as follows:

18 The recreation resource account is created in the state treasury.
19 Moneys in this account are subject to legislative appropriation. The
20 board shall administer the account in accordance with this chapter and
21 chapter 79A.35 RCW and shall hold it separate and apart from all other
22 money, funds, and accounts of the board. Moneys received from the
23 marine fuel tax refund account under RCW 79A.25.070 shall be deposited
24 into the account. Grants, gifts, or other financial assistance,
25 proceeds received from public bodies as administrative cost
26 contributions, and moneys made available to the state of Washington by
27 the federal government for outdoor recreation may be deposited into the
28 account.

29 During the 2009-2011 fiscal biennium, the legislature may transfer
30 from the recreation resource account to the state general fund such
31 amounts as reflect the excess fund balance of the account.

32 **Sec. 962.** RCW 79A.25.210 and 2007 c 241 s 54 are each amended to
33 read as follows:

34 The firearms range account is hereby created in the state general
35 fund. Moneys in the account shall be subject to legislative
36 appropriation and shall be used for purchase and development of land,

1 construction or improvement of range facilities, including fixed
2 structure construction or remodeling, equipment purchase, safety or
3 environmental improvements, noise abatement, and liability protection
4 for public and nonprofit firearm range training and practice
5 facilities. During the 2009-2011 fiscal biennium, the legislature may
6 transfer from the firearms range account to the state general fund such
7 amounts as reflect the excess fund balance of the account.

8 Grant funds shall not be used for expendable shooting supplies, or
9 normal operating expenses. In making grants, the board shall give
10 priority to projects for noise abatement or safety improvement. Grant
11 funds shall not supplant funds for other organization programs.

12 The funds will be available to nonprofit shooting organizations,
13 school districts, and state, county, or local governments on a match
14 basis. All entities receiving matching funds must be open on a regular
15 basis and usable by law enforcement personnel or the general public who
16 possess Washington concealed pistol licenses or Washington hunting
17 licenses or who are enrolled in a firearm safety class.

18 Applicants for a grant from the firearms range account shall
19 provide matching funds in either cash or in-kind contributions. The
20 match must represent one dollar in value for each one dollar of the
21 grant except that in the case of a grant for noise abatement or safety
22 improvements the match must represent one dollar in value for each two
23 dollars of the grant. In-kind contributions include but are not
24 limited to labor, materials, and new property. Existing assets and
25 existing development may not apply to the match.

26 Applicants other than school districts or local or state government
27 must be registered as a nonprofit or not-for-profit organization with
28 the Washington secretary of state. The organization's articles of
29 incorporation must contain provisions for the organization's structure,
30 officers, legal address, and registered agent.

31 Organizations requesting grants must provide the hours of range
32 availability for public and law enforcement use. The fee structure
33 will be submitted with the grant application.

34 Any nonprofit organization or agency accepting a grant under this
35 program will be required to pay back the entire grant amount to the
36 firearms range account if the use of the range facility is discontinued
37 less than ten years after the grant is accepted.

1 Entities receiving grants must make the facilities for which grant
2 funding is received open for hunter safety education classes and
3 firearm safety classes on a regular basis for no fee.

4 Government units or school districts applying for grants must open
5 their range facility on a regular basis for hunter safety education
6 classes and firearm safety classes.

7 The board shall adopt rules to implement chapter 195, Laws of 1990,
8 pursuant to chapter 34.05 RCW.

9 **Sec. 963.** RCW 79.105.150 and 2008 c 299 s 28 are each amended to
10 read as follows:

11 (1) After deduction for management costs as provided in RCW
12 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
13 received by the state from the sale or lease of state-owned aquatic
14 lands and from the sale of valuable material from state-owned aquatic
15 lands shall be deposited in the aquatic lands enhancement account which
16 is hereby created in the state treasury. After appropriation, these
17 funds shall be used solely for aquatic lands enhancement projects; for
18 the purchase, improvement, or protection of aquatic lands for public
19 purposes; for providing and improving access to the lands; and for
20 volunteer cooperative fish and game projects. In addition, during the
21 2009-2011 biennium only, the aquatic lands enhancement account may also
22 be used for hatchery reform. During the 2009-2011 fiscal biennium, the
23 legislature may transfer from the aquatic lands enhancement account to
24 the state general fund such amounts as reflect the excess fund balance
25 of the account.

26 (2) In providing grants for aquatic lands enhancement projects, the
27 recreation and conservation funding board shall:

28 (a) Require grant recipients to incorporate the environmental
29 benefits of the project into their grant applications;

30 (b) Utilize the statement of environmental benefits, consideration,
31 except as provided in RCW 79.105.610, of whether the applicant is a
32 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
33 referenced in the action agenda developed by the Puget Sound
34 partnership under RCW 90.71.310, and except as otherwise provided in
35 RCW 79.105.630, and effective one calendar year following the
36 development and statewide availability of model evergreen community
37 management plans and ordinances under RCW 35.105.050, whether the

1 applicant is an entity that has been recognized, and what gradation of
2 recognition was received, in the evergreen community recognition
3 program created in RCW 35.105.030 in its prioritization and selection
4 process; and

5 (c) Develop appropriate outcome-focused performance measures to be
6 used both for management and performance assessment of the grants.

7 (3) To the extent possible, the department should coordinate its
8 performance measure system with other natural resource-related agencies
9 as defined in RCW 43.41.270.

10 (4) The department shall consult with affected interest groups in
11 implementing this section.

12 (5) After January 1, 2010, any project designed to address the
13 restoration of Puget Sound may be funded under this chapter only if the
14 project is not in conflict with the action agenda developed by the
15 Puget Sound partnership under RCW 90.71.310.

16 **Sec. 964.** RCW 80.01.080 and 2006 c 3 s 2 are each amended to read
17 as follows:

18 There is created in the state treasury a public service revolving
19 fund. Regulatory fees payable by all types of public service companies
20 shall be deposited to the credit of the public service revolving fund.
21 Except for expenses payable out of the pipeline safety account, all
22 expense of operation of the Washington utilities and transportation
23 commission shall be payable out of the public service revolving fund.

24 During the ((2003-2005)) 2009-2011 fiscal biennium, the legislature
25 may transfer from the public service revolving fund to the state
26 general fund such amounts as reflect the excess fund balance of the
27 fund.

28 Due to the extraordinarily high winter energy costs, during the
29 2005-2007 fiscal biennium, no more than seven million six hundred
30 thousand dollars, as appropriated in section 1, chapter 3, Laws of
31 2006, shall be payable out of the public service revolving fund to
32 provide energy assistance to customers in accordance with the
33 low-income energy assistance program.

34 **Sec. 965.** RCW 80.36.430 and 2004 c 254 s 2 are each amended to
35 read as follows:

36 (1) The Washington telephone assistance program shall be funded by

1 a telephone assistance excise tax on all switched access lines and by
2 funds from any federal government or other programs for this purpose.
3 Switched access lines are defined in RCW 82.14B.020. The telephone
4 assistance excise tax shall be applied equally to all residential and
5 business access lines not to exceed fourteen cents per month. The
6 department shall submit an approved annual budget for the Washington
7 telephone assistance program to the department of revenue no later than
8 March 1st prior to the beginning of each fiscal year. The department
9 of revenue shall then determine the amount of telephone assistance
10 excise tax to be placed on each switched access line and shall inform
11 local exchange companies and the utilities and transportation
12 commission of this amount no later than May 1st. The department of
13 revenue shall determine the amount of telephone assistance excise tax
14 by dividing the total of the program budget funded by the telephone
15 assistance excise tax, as submitted by the department, by the total
16 number of switched access lines in the prior calendar year. The
17 telephone assistance excise tax shall be separately identified on each
18 ratepayer's bill as the "Washington telephone assistance program." All
19 money collected from the telephone assistance excise tax shall be
20 transferred to a telephone assistance fund administered by the
21 department.

22 (2) Local exchange companies shall bill the fund for their expenses
23 incurred in offering the telephone assistance program, including
24 administrative and program expenses. The department shall disburse the
25 money to the local exchange companies. The department is exempted from
26 having to conclude a contract with local exchange companies in order to
27 effect this reimbursement. The department shall recover its
28 administrative costs from the fund. The department may specify by rule
29 the range and extent of administrative and program expenses that will
30 be reimbursed to local exchange companies.

31 (3) The department shall enter into an agreement with the
32 department of community, trade, and economic development for an amount
33 not to exceed eight percent of the prior fiscal year's total revenue
34 for the administrative and program expenses of providing community
35 service voice mail services. The community service voice mail service
36 may include toll-free lines in community action agencies through which
37 recipients can access their community service voice mailboxes at no
38 charge.

1 (4) During the 2009-2011 biennium, the department shall enter into
2 an agreement with the military department for one million dollars to
3 support the WIN 211 program.

4 **Sec. 966.** RCW 86.26.007 and 2005 c 518 s 947 are each amended to
5 read as follows:

6 The flood control assistance account is hereby established in the
7 state treasury. At the beginning of the 2005-2007 fiscal biennium, the
8 state treasurer shall transfer three million dollars from the general
9 fund to the flood control assistance account. Each biennium thereafter
10 the state treasurer shall transfer four million dollars from the
11 general fund to the flood control assistance account. Moneys in the
12 flood control assistance account may be spent only after appropriation
13 for purposes specified under this chapter. During the 2009-2011 fiscal
14 biennium, the legislature may transfer from the flood control
15 assistance account to the state general fund such amounts as reflect
16 the excess fund balance of the account.

17 NEW SECTION. **Sec. 967.** Section 944 of this act expires June 30,
18 2011.

19 NEW SECTION. **Sec. 968.** Section 922 of this act expires July 1,
20 2012.

21 NEW SECTION. **Sec. 969.** Section 946 of this act expires June 30,
22 2016.

(End of part)

1 **PART X**

2 **GENERAL GOVERNMENT**

3 **Sec. 1001.** 2009 c 4 s 101 (uncodified) is amended to read as
4 follows:

5 **FOR THE HOUSE OF REPRESENTATIVES**

6	General Fund--State Appropriation (FY 2008)	\$34,807,000
7	General Fund--State Appropriation (FY 2009)	(\$35,053,000)
8		<u>\$35,483,000</u>
9	Pension Funding Stabilization Account	
10	Appropriation	\$560,000
11	TOTAL APPROPRIATION	(\$70,420,000)
12		<u>\$70,850,000</u>

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

15 (1) \$56,000 of the general fund--state appropriation for fiscal
16 year 2008 is provided solely to implement Senate Bill No. 5926
17 (construction industry). If the bill is not enacted by June 30, 2007,
18 the amount provided in this subsection shall lapse.

19 (2) \$52,000 of the general fund--state appropriation for fiscal
20 year 2009 is provided solely for the implementation of Third Substitute
21 House Bill No. 1741 (oral history). If the bill is not enacted by June
22 30, 2008, the amount provided in this subsection shall lapse.

23 (3) \$194,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$194,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the legislature to contract
26 for an independent economic and actuarial analysis of health care
27 reform proposals pursuant to Engrossed Substitute Senate Bill No. 6333.
28 The results of this evaluation will be submitted to the governor, the
29 health and fiscal policy committees of the legislature, and the work
30 group by December 15, 2008.

31 **Sec. 1002.** 2009 c 4 s 110 (uncodified) is amended to read as
32 follows:

33 **FOR THE COURT OF APPEALS**

34	General Fund--State Appropriation (FY 2008)	\$16,092,000
35	General Fund--State Appropriation (FY 2009)	(\$16,765,000)

1 \$16,813,000
 2 TOTAL APPROPRIATION ((~~\$32,857,000~~))
 3 \$32,905,000

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

6 (1) \$100,000 of the general fund--state appropriation for fiscal
 7 year 2008 and \$100,000 of the general fund--state appropriation for
 8 fiscal year 2009 are provided solely for chapter 34, Laws of 2007
 9 (Senate Bill No. 5351, court of appeals judges' travel).

10 (2) In addition to other reductions, the reduced appropriations in
 11 this section reflect an additional \$376,000 reduction in administrative
 12 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
 13 state government administrative costs). These administrative
 14 reductions shall be achieved, to the greatest extent possible, by
 15 reducing those administrative costs that do not affect direct client
 16 services or direct service delivery or programs.

17 **Sec. 1003.** 2009 c 4 s 112 (uncodified) is amended to read as
 18 follows:

19 **FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund--State Appropriation (FY 2008)	\$30,659,000
General Fund--State Appropriation (FY 2009)	((\$33,239,000))
	<u>\$33,294,000</u>
Public Safety and Education Account--State Appropriation (FY 2008)	\$22,558,000
Public Safety and Education Account--State Appropriation (FY 2009)	((\$23,694,000))
	<u>\$23,713,000</u>
Equal Justice Subaccount of the Public Safety and Education Account--State Appropriation (FY 2008)	\$3,175,000
Equal Justice Subaccount of the Public Safety and Education Account--State Appropriation (FY 2009)	\$3,175,000
Judicial Information Systems Account--State Appropriation	\$40,923,000
TOTAL APPROPRIATION	((\$157,423,000))
	<u>\$157,497,000</u>

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

1 (1) \$3,900,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$3,900,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for court-appointed special
4 advocates in dependency matters. The administrator for the courts,
5 after consulting with the association of juvenile court administrators
6 and the association of court-appointed special advocate/guardian ad
7 litem programs, shall distribute the funds to volunteer court-appointed
8 special advocate/guardian ad litem programs. The distribution of
9 funding shall be based on the number of children who need volunteer
10 court-appointed special advocate representation and shall be equally
11 accessible to all volunteer court-appointed special advocate/guardian
12 ad litem programs. The administrator for the courts shall not retain
13 more than six percent of total funding to cover administrative or any
14 other agency costs. Funding distributed in this subsection shall not
15 be used to supplant existing local funding for the court-appointed
16 special advocates program.

17 (2) \$300,000 of the general fund--state appropriation for fiscal
18 year 2008, \$300,000 of the general fund--state appropriation for fiscal
19 year 2009, \$1,500,000 of the public safety and education account--state
20 appropriation for fiscal year 2008, and \$1,500,000 of the public safety
21 and education account--state appropriation for fiscal year 2009 are
22 provided solely for school districts for petitions to juvenile court
23 for truant students as provided in RCW 28A.225.030 and 28A.225.035.
24 The office of the administrator for the courts shall develop an
25 interagency agreement with the superintendent of public instruction to
26 allocate the funding provided in this subsection. Allocation of this
27 money to school districts shall be based on the number of petitions
28 filed. This funding includes amounts school districts may expend on
29 the cost of serving petitions filed under RCW 28A.225.030 by certified
30 mail or by personal service or for the performance of service of
31 process for any hearing associated with RCW 28A.225.030.

32 (3)(a) \$1,640,000 of the general fund--state appropriation for
33 fiscal year 2008, \$1,641,000 of the general fund--state appropriation
34 for fiscal year 2009, \$6,612,000 of the public safety and education
35 account--state appropriation for fiscal year 2008, and \$6,612,000 of
36 the public safety and education account--state appropriation for fiscal
37 year 2009 are provided solely for distribution to county juvenile court
38 administrators to fund the costs of processing truancy, children in

1 need of services, and at-risk youth petitions. The administrator for
2 the courts, in conjunction with the juvenile court administrators,
3 shall develop an equitable funding distribution formula. The formula
4 shall neither reward counties with higher than average per-petition
5 processing costs nor shall it penalize counties with lower than average
6 per-petition processing costs.

7 (b) Each fiscal year during the 2007-09 fiscal biennium, each
8 county shall report the number of petitions processed and the total
9 actual costs of processing truancy, children in need of services, and
10 at-risk youth petitions. Counties shall submit the reports to the
11 administrator for the courts no later than 45 days after the end of the
12 fiscal year. The administrator for the courts shall electronically
13 transmit this information to the chairs and ranking minority members of
14 the house of representatives appropriations committee and the senate
15 ways and means committee no later than 60 days after a fiscal year
16 ends. These reports are deemed informational in nature and are not for
17 the purpose of distributing funds.

18 (4) The distributions made under this subsection and distributions
19 from the county criminal justice assistance account made pursuant to
20 section 801 of this act constitute appropriate reimbursement for costs
21 for any new programs or increased level of service for purposes of RCW
22 43.135.060.

23 (5) \$325,000 of the general fund--state appropriation for fiscal
24 year 2008 is provided solely for the completion of the juror pay pilot
25 and research project.

26 (6) \$830,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$1,170,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for improving interpreter services
29 at the trial court level.

30 (a) Of these amounts, \$170,000 for fiscal year 2008 and \$170,000
31 for fiscal year 2009 are provided solely to assist trial courts in
32 developing and implementing language assistance plans. The
33 administrator of the courts, in consultation with the interpreter
34 commission, shall adopt language assistance plan standards consistent
35 with chapters 2.42 and 2.43 RCW. The standards shall include
36 guidelines on local community input, provisions on notifying court
37 users on the right and methods to obtain an interpreter, information on
38 training for judges and court personnel, procedures for identifying and

1 appointing an interpreter, access to translations of commonly used
2 forms, and processes to evaluate the development and implementation of
3 the plan.

4 (b) Of these amounts, \$610,000 for fiscal year 2008 and \$950,000
5 for fiscal year 2009 are provided solely to assist trial courts with
6 interpreter services. In order to be eligible for assistance, a trial
7 court must have completed a language assistance plan consistent with
8 the standards established in (a) of this subsection that is approved by
9 the administrator of the courts and submit the amounts spent annually
10 on interpreter services for fiscal years 2005, 2006, and 2007. The
11 funding in this subsection (b) shall not be used to supplant existing
12 funding and cannot be used for any purpose other than assisting trial
13 courts with interpreter services. At the end of the fiscal year,
14 recipients shall report to the administrator of the court the amount
15 the trial court spent on interpreter services.

16 (c) \$50,000 for fiscal year 2008 and \$50,000 for fiscal year 2009
17 are provided solely to the administrator of the courts for
18 administration of this subsection. By December 1, 2009, the
19 administrator of the courts shall report to the appropriate policy and
20 fiscal committees of the legislature: (i) The number of trial courts
21 in the state that have completed a language assistance plan; (ii) the
22 number of trial courts in the state that have not completed a language
23 assistance plan; (iii) the number of trial courts in the state that
24 received assistance under this subsection, the amount of the
25 assistance, and the amount each trial court spent on interpreter
26 services for fiscal years 2005 through 2008 and fiscal year 2009 to
27 date.

28 (7) \$443,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$543,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely for the implementation of Second
31 Substitute Senate Bill No. 5470 (dissolution proceedings). If the bill
32 is not enacted by June 30, 2007, the amounts provided in this
33 subsection shall lapse. Within the amounts provided:

34 (a) \$100,000 of the general fund--state appropriation for fiscal
35 year 2009 is provided solely for developing training materials for the
36 family court liaisons.

37 (b) \$43,000 of the general fund--state appropriation for fiscal

1 year 2008 and \$43,000 of the general fund--state appropriation for
2 fiscal year 2009 are provided solely for reimbursement costs related to
3 the family law handbook;

4 (c) \$350,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$350,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for distribution to counties to
7 provide guardian ad litem services for the indigent for a reduced or
8 waived fee;

9 (d) \$50,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$50,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely for implementing the data tracking
12 provisions specified in sections 701 and 702 of Second Substitute
13 Senate Bill No. 5470 (dissolution).

14 (8)(a) \$20,458,000 of the judicial information systems account--
15 state appropriation is provided solely for the development and
16 implementation of the core case management system. In expending the
17 funds provided within this subsection, the following conditions must
18 first be satisfied before any subsequent funds may be expended:

19 (i) Completion of feasibility studies detailing linkages between
20 the objectives of the core case management system and the following:
21 The technology efforts required and the impacts of the new investments
22 on existing infrastructure and business functions, including the
23 estimated fiscal impacts to the judicial information systems account
24 and the near general fund accounts; the alignment of critical system
25 requirements of varying size courts at the municipal, district, and
26 superior court level with their respective proposed business processes
27 resulting from business process engineering, and detail on the costs
28 and other impacts to the courts for providing critical business
29 requirements not addressed by new common business processes; the
30 specific requirements and business process needs of state agencies
31 dependent on data exchange with the judicial information system; and
32 the results from a proof of implementation phase; and

33 (ii) Discussion with and presentation to the department of
34 information systems and the information services board regarding the
35 impact on the state agencies dependent on successful data exchange with
36 the judicial information system and the results of the feasibility
37 studies.

1 (b) The judicial information systems committee shall provide
2 quarterly updates to the appropriate committees of the legislature and
3 the department of information systems on the status of implementation
4 of the core case management system.

5 (c) The legislature respectfully requests the judicial information
6 systems committee invite representatives from the state agencies
7 dependent on successful data exchange to their regular meetings for
8 consultation as nonvoting members.

9 (9) \$534,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$949,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely for Substitute Senate Bill No.
12 5320 (public guardianship office). If the bill is not enacted by June
13 30, 2007, the amounts provided in this subsection shall lapse.

14 (10) \$29,000 of the general fund--state appropriation for fiscal
15 year 2008 and \$102,000 of the general fund--state appropriation for
16 fiscal year 2009 are provided solely for the twenty-third superior
17 court judge position in Pierce county. The funds appropriated in this
18 subsection shall be expended only if the judge is appointed and serving
19 on the bench.

20 (11) \$800,000 of the general fund--state appropriation for fiscal
21 year 2009 is provided solely to implement Second Substitute House Bill
22 No. 2822 (family and juvenile court). If the bill is not enacted by
23 June 30, 2008, the amount provided in this subsection shall lapse.

24 (12) \$90,000 of the general fund--state appropriation for fiscal
25 year 2009 is provided solely to implement Second Substitute House Bill
26 No. 2903 (access coordinator). If the bill is not enacted by June 30,
27 2008, the amount provided in this subsection shall lapse.

28 (13) In addition to other reductions, the reduced appropriations in
29 this section reflect an additional \$207,000 reduction in administrative
30 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
31 state government administrative costs). These administrative
32 reductions shall be achieved, to the greatest extent possible, by
33 reducing those administrative costs that do not affect direct client
34 services or direct service delivery or programs.

35 (14) \$55,000 of the general fund--state appropriation for fiscal
36 year 2009 is provided solely for the 53rd superior court judge position
37 in King county. The amounts provided in this subsection shall be
38 expended only if the judge is appointed and serving on the bench.

1 **Sec. 1004.** 2009 c 4 s 118 (uncodified) is amended to read as
2 follows:

3 **FOR THE SECRETARY OF STATE**

4	General Fund--State Appropriation (FY 2008)	\$33,863,000
5	General Fund--State Appropriation (FY 2009)	(\$20,782,000)
6		<u>\$21,205,000</u>
7	General Fund--Federal Appropriation	\$7,279,000
8	General Fund--Private/Local Appropriation	\$132,000
9	Archives and Records Management Account--State	
10	Appropriation	(\$8,337,000)
11		<u>\$8,442,000</u>
12	Department of Personnel Service Account--State	
13	Appropriation	\$760,000
14	Local Government Archives Account--State	
15	Appropriation	\$15,342,000
16	<u>Election Account--State Appropriation</u>	<u>\$228,000</u>
17	Election Account--Federal Appropriation	\$31,511,000
18	Charitable Organization Education Account--State	
19	Appropriation	\$122,000
20	TOTAL APPROPRIATION	(\$118,128,000)
21		<u>\$118,884,000</u>

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

24 (1) \$13,290,000 of the general fund--state appropriation for fiscal
25 year 2008 is provided solely to reimburse counties for the state's
26 share of primary and general election costs and the costs of conducting
27 mandatory recounts on state measures. Counties shall be reimbursed
28 only for those odd-year election costs that the secretary of state
29 validates as eligible for reimbursement.

30 (2) \$2,556,000 of the general fund--state appropriation for fiscal
31 year 2008 and \$3,965,000 of the general fund--state appropriation for
32 fiscal year 2009 are provided solely for the verification of initiative
33 and referendum petitions, maintenance of related voter registration
34 records, and the publication and distribution of the voters and
35 candidates pamphlet.

36 (3) \$125,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$118,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for legal advertising of state
2 measures under RCW 29A.52.330.

3 (4)(a) \$2,465,000 of the general fund--state appropriation for
4 fiscal year 2008 and \$2,501,000 of the general fund--state
5 appropriation for fiscal year 2009 are provided solely for contracting
6 with a nonprofit organization to produce gavel-to-gavel television
7 coverage of state government deliberations and other events of
8 statewide significance during the 2007-09 biennium. The funding level
9 for each year of the contract shall be based on the amount provided in
10 this subsection. The nonprofit organization shall be required to raise
11 contributions or commitments to make contributions, in cash or in kind,
12 in an amount equal to forty percent of the state contribution. The
13 office of the secretary of state may make full or partial payment once
14 all criteria in this subsection have been satisfactorily documented.

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

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

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

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

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

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

35 (5) \$45,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$45,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for humanities Washington's "we
38 the people" community conversations program.

1 (6) \$575,000 of the general fund--state appropriation for fiscal
2 year 2008 is provided solely for settlement costs and attorney fees
3 resulting from the resolution of *Washington Association of Churches, et*
4 *al. v. Reed*, United States District Court Western District of
5 Washington at Seattle, Case No. CV06-0726RSM.

6 **Sec. 1005.** 2009 c 4 s 124 (uncodified) is amended to read as
7 follows:

8 **FOR THE ATTORNEY GENERAL**

9	General Fund--State Appropriation (FY 2008)	\$6,262,000
10	General Fund--State Appropriation (FY 2009)	\$5,541,000
11	General Fund--Federal Appropriation	\$3,960,000
12	Public Safety and Education Account--State	
13	Appropriation (FY 2008)	\$1,143,000
14	Public Safety and Education Account--State	
15	Appropriation (FY 2009)	\$1,228,000
16	New Motor Vehicle Arbitration Account--State	
17	Appropriation	\$1,312,000
18	Legal Services Revolving Account--State	
19	Appropriation	((\$229,579,000))
20		<u>\$231,391,000</u>
21	Tobacco Prevention and Control Account--State	
22	Appropriation	\$270,000
23	TOTAL APPROPRIATION	((\$249,295,000))
24		<u>\$251,107,000</u>

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

27 (1) The attorney general shall report each fiscal year on actual
28 legal services expenditures and actual attorney staffing levels for
29 each agency receiving legal services. The report shall be submitted to
30 the office of financial management and the fiscal committees of the
31 senate and house of representatives no later than ninety days after the
32 end of each fiscal year.

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

1 (3) \$9,446,000 of the legal services revolving account--state
2 appropriation is provided solely for increases in salaries and benefits
3 of assistant attorneys general effective July 1, 2007. This funding is
4 provided solely for increases to address critical recruitment and
5 retention problems, and shall not be used for the performance
6 management program or to fund general administration. The attorney
7 general shall report to the office of financial management and the
8 fiscal committees of the senate and house of representatives by October
9 1, 2008, and provide detailed demographic information regarding
10 assistant attorneys general who received increased salaries and
11 benefits as a result of the appropriation. The report shall include at
12 a minimum information regarding the years of service, division
13 assignment within the attorney general's office, and client agencies
14 represented by assistant attorneys general receiving increased salaries
15 and benefits as a result of the amount provided in this subsection.
16 The report shall include a proposed salary schedule for all assistant
17 attorneys general using the same factors used to determine increased
18 salaries under this section. The report shall also provide initial
19 findings regarding the effect of the increases on recruitment and
20 retention of assistant attorneys general.

21 (4) \$69,000 of the legal services revolving fund--state
22 appropriation is provided solely for Engrossed Substitute Senate Bill
23 No. 6001 (climate change). If the bill is not enacted by June 30, 2007,
24 the amount provided in this subsection shall lapse.

25 (5) \$44,000 of the legal services revolving fund--state
26 appropriation is provided solely for Substitute Senate Bill No. 5972
27 (surface mining reclamation). If the bill is not enacted by June 30,
28 2007, the amount provided in this subsection shall lapse.

29 (6) \$110,000 of the legal services revolving account--state
30 appropriation is provided solely for implementation of Second
31 Substitute House Bill No. 3274 (port district contracting). If the
32 bill is not enacted by June 30, 2008, the amount provided in this
33 subsection shall lapse.

34 (7) \$346,000 of the legal services revolving account--state
35 appropriation is provided solely for implementation of sections 2 and
36 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term
37 well-being). If the bill is not enacted by June 30, 2008, the amount
38 provided in this subsection shall lapse.

1 (8) \$492,000 of the legal services revolving account--state
2 appropriation is provided solely for implementation of Second
3 Substitute Senate Bill No. 6732 (construction industry). If the bill
4 is not enacted by June 30, 2008, the amount provided in this subsection
5 shall lapse.

6 (9) The agency shall submit a staffing model that supports the need
7 for increased resources due to casework associated with the sexually
8 violent predator population to the office of financial management and
9 the fiscal committees of the legislature by October 31, 2008.

10 (10) The attorney general shall deposit to the health services
11 account at least \$680,000 from the *cy pres* monetary portion of the
12 consent decree in settlement of the consumer protection act litigation
13 against Caremark Rx, LLC (King county superior court cause no. 08-2-
14 06098-5). These moneys shall be expended pursuant to legislative
15 appropriation consistent with the terms of the consent decree.

16 **Sec. 1006.** 2009 c 4 s 128 (uncodified) is amended to read as
17 follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

19	General Fund--State Appropriation (FY 2008)	\$24,110,000
20	General Fund--State Appropriation (FY 2009)	(\$33,485,000)
21		<u>\$33,835,000</u>
22	General Fund--Federal Appropriation	\$23,934,000
23	General Fund--Private/Local Appropriation	\$1,269,000
24	State Auditing Services Revolving Account--State	
25	Appropriation	\$25,000
26	Violence Reduction and Drug Enforcement Account--	
27	State Appropriation (FY 2008)	\$123,000
28	Economic Development Strategic Reserve Account--	
29	State Appropriation	\$175,000
30	TOTAL APPROPRIATION	(\$83,121,000)
31		<u>\$83,471,000</u>

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

34 (1) \$33,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$58,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided for a contract with the Ruckelshaus
37 center to continue the agricultural pilot programs that identify

1 projects to enhance farm income and improve natural resource
2 protection. Specific work will include project outreach and
3 refinement, stakeholder support, staffing the oversight committee,
4 seeking federal and private match funding, and further refining the
5 list of projects to be recommended for funding.

6 (2) \$155,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$254,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided for a contract with the Ruckelshaus
9 center to fund "proof-of-concept" model and projects recommended by the
10 oversight committee, as provided in subsection (1) of this section.

11 (3) \$580,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$505,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely to the association of Washington
14 cities and the Washington state association of counties for improving
15 project permitting and mitigation processes.

16 (4) \$320,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$270,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for the office of regulatory
19 assistance to develop statewide multiagency permits for transportation
20 infrastructure and other projects that integrate local, state, and
21 federal permit requirements and mitigation standards.

22 (5) \$1,050,000 of the general fund--state appropriation for fiscal
23 year 2008 and \$1,050,000 of the general fund--state appropriation for
24 fiscal year 2009 are provided solely to implement Second Substitute
25 Senate Bill No. 5122 (regulatory assistance programs). If the bill is
26 not enacted by June 30, 2007, the amounts provided in this subsection
27 shall lapse.

28 (6) \$190,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$90,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely to implement chapter 139, Laws of
31 2007 (student transportation funding) which requires development of two
32 options for a new K-12 pupil transportation funding formula.

33 (7) \$175,000 of the general fund--state appropriation for fiscal
34 year 2008 is provided solely for financial assistance to local
35 government agencies in counties representing populations of fewer than
36 350,000 residents for the acquisition and development of streamlined
37 permitting technology infrastructure through an integrated business
38 portal approach. Grant awards may not exceed \$100,000 per local

1 government agency per fiscal year. The funding must be used to acquire
2 and implement permit tracking systems that can support and are
3 compatible with a multijurisdictional, integrated approach. Prior to
4 granting funds, the office of regulatory assistance shall ensure that
5 the proposed systems and technology are based on open-industry
6 standards, allow for future integration of processes and sharing of
7 data, and are extendable.

8 (8) \$474,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$331,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely for the implementation of sections
11 50 through 57 (health resources strategy) of Engrossed Second
12 Substitute Senate Bill No. 5930 (blue ribbon commission on health
13 care). If the bill is not enacted by June 2007, the amounts provided
14 in this subsection shall lapse.

15 (9) \$300,000 of the general fund--state appropriation for fiscal
16 year 2008 is provided solely to implement section 3 of Substitute
17 Senate Bill No. 5248 (preserving the viability of agricultural lands).
18 Funds are provided for a contract with the Ruckelshaus center to
19 examine conflicts between agriculture activities and critical areas
20 ordinances. If the bill is not enacted by June 30, 2007, the amounts
21 provided in this subsection shall lapse.

22 (10) The education data center within the office of financial
23 management may convene a work group to assess the feasibility, costs,
24 and benefits of a higher education data system that uses privacy-
25 protected student-level data.

26 (11) \$250,000 of the general fund--state appropriation for fiscal
27 year 2008 is provided solely for the office of financial management to
28 establish and provide staff support for the Washington citizens' work
29 group on health care reform, pursuant to Engrossed Substitute Senate
30 Bill No. 6333.

31 (12) \$11,372,000 of the general fund--state appropriation for
32 fiscal year 2009 is provided solely for the development and
33 implementation of the Washington assessment of student learning (WASL)
34 and related activities and is in addition to the funding amounts
35 provided in section 511 of this act. The funding provided in this
36 subsection is subject to the following conditions and limitations: The
37 office of financial management shall develop an interagency agreement
38 with the office of the superintendent of public instruction for the

1 expenditure of these funds based on a quarterly allotment schedule.
2 Before releasing funds to the office of the superintendent of public
3 instruction each quarter, the office of financial management shall
4 ensure compliance with this subsection. Effective with the 2009
5 administration of the Washington assessment of student learning, while
6 maintaining the reliability and validity of the assessment, the office
7 of the superintendent of public instruction shall redesign the
8 assessment in the content areas of reading, mathematics, and science in
9 all grades except high school by shortening test administration,
10 reducing the number of short answer and extended response questions,
11 and potentially decreasing the number of items utilized in the
12 assessment, particularly in grades tested under the requirements of the
13 federal no child left behind act. In selecting and developing the new
14 contractual obligations for the assessment contractor beginning in
15 fiscal year 2009, the office of the superintendent of public
16 instruction shall preserve legislative authority to set the student
17 learning assessment policy and potentially make minor or significant
18 changes to that policy in the future with the least amount of adverse
19 fiscal and other impacts to the state as possible. In doing this, the
20 office of the superintendent of public instruction shall advise and
21 consult with the appropriate policy and fiscal committees of the
22 legislature and the Washington assessment of student learning work
23 group created in this subsection. Within the amounts appropriated in
24 this subsection, a legislative work group on the Washington assessment
25 of student learning is established. The work group will consist of a
26 maximum of nine members. Legislative members shall be appointed by the
27 president of the senate and the speaker of the house of representatives
28 and shall represent the two largest caucuses of both the senate and the
29 house of representatives. The purpose of this work group is to review
30 and evaluate the current assessment system by January 1, 2009, and
31 potentially make recommendations to improve it. Of the amount provided
32 in this section, \$150,000 is provided solely for costs associated with
33 hiring independent technical experts to advise the Washington
34 assessment of student learning work group created in this subsection.

35 (13) Through prior legislation, many state activities that protect
36 the general public by safeguarding health, safety, employees, and
37 consumers are supported by fees assessed on items such as licensing,
38 registration, certification, and inspections. Moreover, higher

1 education, workforce training, and a number of other government
2 services are supported at least in part by fees assessed on those who
3 participate in these programs. Therefore, the office of financial
4 management shall conduct a review and analysis of all fees for which
5 the legislature has delegated to state agencies and institutions of
6 higher education the ability to establish and determine the amount,
7 either upon initial establishment or subsequent increases. Fees, as
8 used in this subsection, has the same meaning as used in RCW
9 43.135.055. The objective of the review and analysis is to document
10 the level of fees paid over the past five years, the cost of those
11 programs over that same time period, and, to the extent available, the
12 effectiveness of the activity in meeting its performance targets. The
13 review and analysis shall include the following information:

14 (a) Information about the program, including the statutory
15 authority for the program, date enacted, and the parties that benefit
16 from the program; and

17 (b) Information about the program fees, including name and
18 description of the fees, the parties that bear the cost of the fees,
19 the methodology for determining the fees, and whether the fees directly
20 fund the program; and

21 (c) Financial related information, including an assessment of the
22 program's fee amount assessed over the past five years, the scope of
23 the program and related costs over the past 5 years, and whether the
24 program's expenditures are subject to appropriation or allotment
25 procedures under chapter 43.88 RCW; and

26 (d) To the extent available, information on the program activities
27 and related performance measures that may assist in assessing the
28 effectiveness of the program in achieving its goals.

29 The office of financial management shall report its findings to the
30 governor and the fiscal committees of the legislature by October 1,
31 2008.

32 (14) In addition to other reductions, the reduced appropriations in
33 this section reflect an additional \$305,000 reduction in administrative
34 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
35 state government administrative costs). These administrative
36 reductions shall be achieved, to the greatest extent possible, by
37 reducing those administrative costs that do not affect direct client
38 services or direct service delivery or programs.

1 (3)(a) \$50,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$25,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to conduct a study of the taxation
4 of electronically delivered products. The legislature recognizes that
5 chapter . . . (Engrossed Substitute House Bill No. 1981), Laws of 2007,
6 relates to specific types of electronically delivered products and does
7 not address the taxation of numerous other types of electronically
8 delivered products. Therefore, a policy question remains concerning
9 the sales and use taxation of other electronically delivered products.

10 (b)(i) To perform the study, the department of revenue shall be
11 assisted by a committee. The committee shall include four legislative
12 members appointed as follows:

13 (A) The president of the senate shall appoint one member from each
14 of the two largest caucuses of the senate; and

15 (B) The speaker of the house of representatives shall appoint one
16 member from each of the two largest caucuses of the house of
17 representatives.

18 (ii) The department of revenue shall appoint additional members
19 with balanced representation from different segments of government and
20 industry, and shall consider representation from the following areas:
21 Small and large businesses that generate, deliver, or use
22 electronically delivered products; financial institutions; insurers;
23 persons with expertise in tax law in an academic or private sector
24 setting; and persons experienced in working with computers and
25 electronically delivered products. The department of revenue shall
26 appoint additional members from the department with expertise in the
27 excise taxation of electronically delivered products.

28 (iii) The committee shall choose its chair from among its
29 membership.

30 (iv) The department and committee shall review the following
31 issues: The provision of explicit statutory definitions for
32 electronically delivered products; the current excise tax treatment of
33 electronically delivered products in the state of Washington and other
34 states as well as the tax treatment of these products under the
35 streamlined sales and use tax agreement; the administration, costs, and
36 potential recipients of the tax exemptions provided in chapter . . .
37 (Engrossed Substitute House Bill No. 1981), Laws of 2007; and

1 alternatives to the excise taxation of electronically delivered
2 products.

3 (v) Legislative members of the committee are reimbursed for travel
4 expenses in accordance with RCW 44.04.120. Nonlegislative members of
5 the committee, except those representing an employer or organization,
6 are entitled to be reimbursed for travel expenses in accordance with
7 RCW 43.03.050 and 43.03.060.

8 (c) The department shall report its preliminary findings and
9 recommendations to the appropriate fiscal committees of the legislature
10 by November 30, 2007. The department shall provide the final report of
11 its findings and recommendations to the appropriate fiscal committees
12 of the legislature by September 1, 2008.

13 (4) \$250,000 of the general fund--state appropriation for fiscal
14 year 2009 is for the implementation of Engrossed Substitute Senate Bill
15 No. 6809 (working families tax exemption). If the bill is not enacted
16 by June 30, 2008, the amounts in this subsection shall lapse. This
17 subsection does not constitute approval of the exemption under section
18 2, chapter . . . (ESSB 6809), Laws of 2008 or authorize payments of
19 remittances.

20 (5) \$22,000 of the general fund--state appropriation for fiscal
21 year 2009 is for the implementation of Second Substitute House Bill No.
22 3104 (domestic partnerships). If the bill is not enacted by June 30,
23 2008, the amounts in this subsection shall lapse.

24 (6) In addition to other reductions, the reduced appropriations in
25 this section reflect an additional \$214,000 reduction in administrative
26 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
27 state government administrative costs). These administrative
28 reductions shall be achieved, to the greatest extent possible, by
29 reducing those administrative costs that do not affect direct client
30 services or direct service delivery or programs.

31 **Sec. 1009.** 2009 c 4 s 140 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

34	General Fund--State Appropriation (FY 2008)	\$591,000
35	General Fund--State Appropriation (FY 2009)	(\$557,000)
36		<u>\$783,000</u>
37	General Fund--Federal Appropriation	\$3,651,000

1	General Administration Service Account--State	
2	Appropriation	\$36,893,000
3	TOTAL APPROPRIATION	((\$41,692,000))
4		<u>\$41,918,000</u>

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

7 (1) \$100,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$100,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for the temporary emergency food
10 assistance program.

11 (2) Within the appropriations in this section, specific funding is
12 provided to implement Second Substitute House Bill No. 1332 (affordable
13 housing).

14 (3) \$391,000 of the general administration services account--state
15 appropriation for fiscal year 2009 is provided solely for
16 implementation of costs associated with the planning of agency moves
17 out of the general administration building.

18 (4) The department shall work with the office of financial
19 management to develop a plan that balances revenues and expenditures
20 for each line of business within the general administration services
21 account. State agency rates developed for the 2009-2011 biennium must
22 equitably and reasonably reflect the actual cost of services provided
23 to state agencies including the appropriate allocation of agency
24 overhead costs. By August 31, 2008, the department shall submit to the
25 office of financial management and the fiscal committees of the
26 legislature financial statements for each line of business that shall
27 inform the basis for agency rate development for the forthcoming
28 biennium.

29 (5) The department shall submit a report to the office of financial
30 management and the fiscal committees of the legislature that responds
31 to each of the state auditor's motor pool audit recommendations by
32 August 31, 2008. This report shall consist of recommendations that
33 have been adopted by the department, progress made towards achieving
34 those recommendations not yet completed, and justification for why the
35 department is unable to fulfill any of the recommendations in the
36 report.

1 earthquake. The military department shall submit a report quarterly to
2 the office of financial management and the legislative fiscal
3 committees detailing earthquake recovery costs, including: (a)
4 Estimates of total costs; (b) incremental changes from the previous
5 estimate; (c) actual expenditures; (d) estimates of total remaining
6 costs to be paid; and (e) estimates of future payments by biennium.
7 This information shall be displayed by fund, by type of assistance, and
8 by amount paid on behalf of state agencies or local organizations. The
9 military department shall also submit a report quarterly to the office
10 of financial management and the legislative fiscal committees detailing
11 information on the Nisqually earthquake account, including: (a) The
12 amount and type of deposits into the account; (b) the current available
13 fund balance as of the reporting date; and (c) the projected fund
14 balance at the end of the 2007-2009 biennium based on current revenue
15 and expenditure patterns.

16 (3) \$61,000,000 of the general fund--federal appropriation is
17 provided solely for homeland security, subject to the following
18 conditions:

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

22 (b) This amount shall not be allotted until a spending plan is
23 reviewed by the governor's domestic security advisory group and
24 approved by the office of financial management;

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

33 (d) The department shall submit a report by December 1st of each
34 year to the office of financial management and the legislative fiscal
35 committees detailing homeland security revenues and expenditures for
36 the previous fiscal year by county and legislative district.

37 (4) Within the funds appropriated in this section, the department

1 shall implement Substitute House Bill No. 1507 (uniformed service
2 shared leave).

3 (5) \$1,000,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$1,000,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for the military department to
6 contract with the Washington information network 2-1-1 to operate a
7 statewide 2-1-1 system. The department shall provide the entire amount
8 for 2-1-1 and shall not take any of the funds for administrative
9 purposes.

10 (6) \$200,000 of the enhanced 911 account--state appropriation is
11 provided solely for the department to recommend an appropriate funding
12 mechanism for the implementation of next generation 911. The
13 department shall consult with the utilities and transportation
14 commission, the department of revenue, local governments, and
15 representatives from companies providing telecommunications services in
16 order to complete the report required under this subsection. The
17 department may also consult with other public safety and medical
18 associations in order to complete the study. The department shall
19 submit the report to the finance committee and the technology, energy,
20 and communications committee of the house of representatives, and the
21 ways and means committee and the water, energy, and telecommunications
22 committee of the senate, by December 1, 2008.

23 **Sec. 1013.** 2009 c 4 s 151 (uncodified) is amended to read as
24 follows:

25 **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

26	General Fund--State Appropriation (FY 2008)	\$1,893,000
27	General Fund--State Appropriation (FY 2009)	(\$1,878,000)
28		<u>\$1,924,000</u>
29	TOTAL APPROPRIATION	(\$3,771,000)
30		<u>\$3,817,000</u>

31 **Sec. 1014.** 2008 c 329 s 151 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE CONVENTION AND TRADE CENTER**

34	State Convention and Trade Center Account--State	
35	Appropriation	(\$44,773,000)
36		<u>\$39,769,000</u>

1	State Convention and Trade Center Operating	
2	Account--State Appropriation	\$53,750,000
3	TOTAL APPROPRIATION	((\$98,523,000))
4		<u>\$93,519,000</u>

(End of part)

1 appropriated under sections 204, 206, 208, and 209 of this act as may
2 be necessary to finance a unified health care plan for the WMIP program
3 enrollment. The WMIP pilot projects shall not exceed a daily
4 enrollment of 6,000 persons, nor expand beyond one county, during the
5 2007-2009 biennium. The amount of funding assigned to the pilot
6 projects from each program may not exceed the average per capita cost
7 assumed in this act for individuals covered by that program,
8 actuarially adjusted for the health condition of persons enrolled in
9 the pilot project, times the number of clients enrolled in the pilot
10 project. In implementing the WMIP pilot projects, the department may:
11 (a) Withhold from calculations of "available resources" as set forth in
12 RCW 71.24.025 a sum equal to the capitated rate for individuals
13 enrolled in the pilots; and (b) employ capitation financing and risk-
14 sharing arrangements in collaboration with health care service
15 contractors licensed by the office of the insurance commissioner and
16 qualified to participate in both the medicaid and medicare programs.
17 The department shall conduct an evaluation of the WMIP, measuring
18 changes in participant health outcomes, changes in patterns of service
19 utilization, participant satisfaction, participant access to services,
20 and the state fiscal impact.

21 (5)(a) The appropriations to the department of social and health
22 services in this act shall be expended for the programs and in the
23 amounts specified in this act. However, after May 1, (~~2008~~) 2009,
24 unless specifically prohibited by this act, the department may transfer
25 general fund--state appropriations for fiscal year (~~2008~~) 2009 among
26 programs after approval by the director of financial management.
27 However, the department shall not transfer state moneys that are
28 provided solely for a specified purpose except as expressly provided in
29 (b) of this subsection.

30 (b) To the extent that transfers under (a) of this subsection are
31 insufficient to fund actual expenditures in excess of fiscal year
32 (~~2008~~) 2009 caseload forecasts and utilization assumptions in the
33 medical assistance, long-term care, foster care, adoption support, and
34 child support programs, the department may transfer state moneys that
35 are provided solely for a specified purpose. The department shall not
36 transfer funds, and the director of financial management shall not
37 approve the transfer, unless the transfer is consistent with the
38 objective of conserving, to the maximum extent possible, the

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

9 **Sec. 1102.** 2009 c 4 s 201 (uncodified) is amended to read as
10 follows:

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

13	General Fund--State Appropriation (FY 2008)	\$316,353,000
14	General Fund--State Appropriation (FY 2009)	(\$338,838,000)
15		<u>\$336,528,000</u>
16	General Fund--Federal Appropriation	(\$490,314,000)
17		<u>\$504,970,000</u>
18	General Fund--Private/Local Appropriation	\$2,187,000
19	Domestic Violence Prevention Account--State	
20	Appropriation	\$1,000,000
21	Public Safety and Education Account--State	
22	Appropriation (FY 2008)	\$3,251,000
23	Public Safety and Education Account--State	
24	Appropriation (FY 2009)	\$3,254,000
25	Violence Reduction and Drug Enforcement Account--State	
26	Appropriation (FY 2008)	\$2,934,000
27	Violence Reduction and Drug Enforcement Account--State	
28	Appropriation (FY 2009)	\$2,934,000
29	Pension Funding Stabilization Account--State	
30	Appropriation	\$2,298,000
31	TOTAL APPROPRIATION	(\$1,163,363,000)
32		<u>\$1,175,709,000</u>

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

35 (1) \$3,063,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$2,993,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for the category of services
2 titled "intensive family preservation services."

3 (2) \$945,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$993,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely to contract for the operation of
6 one pediatric interim care facility. The facility shall provide
7 residential care for up to seventeen children through two years of age.
8 Seventy-five percent of the children served by the facility must be in
9 need of special care as a result of substance abuse by their mothers.
10 The facility shall also provide on-site training to biological,
11 adoptive, or foster parents. The facility shall provide at least three
12 months of consultation and support to parents accepting placement of
13 children from the facility. The facility may recruit new and current
14 foster and adoptive parents for infants served by the facility. The
15 department shall not require case management as a condition of the
16 contract.

17 (3) \$375,000 of the general fund--state appropriation for fiscal
18 year 2008, \$375,000 of the general fund--state appropriation for fiscal
19 year 2009, and \$322,000 of the general fund--federal appropriation are
20 provided solely for up to three nonfacility-based programs for the
21 training, consultation, support, and recruitment of biological, foster,
22 and adoptive parents of children through age three in need of special
23 care as a result of substance abuse by their mothers, except that each
24 program may serve up to three medically fragile nonsubstance-abuse-
25 affected children. In selecting nonfacility-based programs, preference
26 shall be given to programs whose federal or private funding sources
27 have expired or that have successfully performed under the existing
28 pediatric interim care program.

29 (4) \$125,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$125,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for a foster parent retention
32 program. This program is directed at foster parents caring for
33 children who act out sexually.

34 (5) The providers for the 31 HOPE beds shall be paid a \$1,020 base
35 payment per bed per month, and reimbursed for the remainder of the bed
36 cost only when the beds are occupied.

37 (6) Within amounts provided for the foster care and adoption
38 support programs, the department shall control reimbursement decisions

1 for foster care and adoption support cases such that the aggregate
2 average cost per case for foster care and for adoption support does not
3 exceed the amounts assumed in the projected caseload expenditures.

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

11 (8) \$500,000 of the general fund--state appropriation for fiscal
12 year 2008, \$500,000 of the general fund--state appropriation for fiscal
13 year 2009, and \$429,000 of the general fund--federal appropriation are
14 provided solely to increase services provided through children's
15 advocacy centers.

16 (9) \$50,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$50,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for a street youth program in
19 Spokane.

20 (10) \$41,000 of the general fund--state appropriation for fiscal
21 year 2008, \$37,000 of the general fund--state appropriation for fiscal
22 year 2009, and \$34,000 of the general fund--federal appropriation are
23 provided solely for the implementation of Substitute House Bill No.
24 1472 (child welfare).

25 (11) \$858,000 of the general fund--state appropriation for fiscal
26 year 2008, \$809,000 of the general fund--state appropriation for fiscal
27 year 2009, and \$715,000 of the general fund--federal appropriation are
28 provided solely to implement Engrossed Substitute Senate Bill No. 5774
29 (background checks), including sections 6 and 7. If the bill is not
30 enacted by June 30, 2007, the amounts provided in this subsection shall
31 lapse.

32 (12) \$4,962,000 of the general fund--state appropriation for fiscal
33 year 2008, \$4,586,000 of the general fund--state appropriation for
34 fiscal year 2009, and \$9,548,000 of the general fund--federal
35 appropriation are provided solely for development and implementation of
36 a statewide automated child welfare information system.

37 (13) \$126,000 of the general fund--state appropriation for fiscal
38 year 2009 and \$55,000 of the general fund--federal appropriation are

1 provided solely to implement Substitute Senate Bill No. 5321 (child
2 welfare). If the bill is not enacted by June 30, 2007, the amounts
3 provided in this subsection shall lapse.

4 (14) \$707,000 of the general fund--state appropriation for fiscal
5 year 2008, \$680,000 of the general fund--state appropriation for fiscal
6 year 2009, and \$594,000 of the general fund--federal appropriation are
7 provided solely for the implementation of Second Substitute House Bill
8 No. 1334 (child welfare proceedings). If the bill is not enacted by
9 June 30, 2007, the amounts provided in this subsection shall lapse.

10 (15) \$2,237,000 of the general fund--state appropriation for fiscal
11 year 2008, \$2,238,000 of the general fund--state appropriation for
12 fiscal year 2009, and \$1,918,000 of the general fund--federal
13 appropriation are provided solely for the implementation of Substitute
14 House Bill No. 1333 (child welfare). If the bill is not enacted by
15 June 30, 2007, the amounts provided in this subsection shall lapse.

16 (16) \$137,000 of the general fund--state appropriation for fiscal
17 year 2008, \$137,000 of the general fund--state appropriation for fiscal
18 year 2009, and \$118,000 of the general fund--federal appropriation are
19 provided solely for implementation of Substitute House Bill No. 1287
20 (foster children). If the bill is not enacted by June 30, 2007, the
21 amounts provided in this subsection shall lapse.

22 (17) \$50,000 of the general fund--state appropriation for fiscal
23 year 2008 is provided solely for the department to contract with the
24 Washington state institute for public policy to study evidence-based,
25 cost-effective programs and policies to reduce the likelihood of
26 children entering and remaining in the child welfare system, including
27 both prevention and intervention programs. If the department does not
28 receive \$100,000 in matching funds from a private organization for the
29 purpose of conducting this study, the amount provided in this
30 subsection shall lapse. The study shall be completed by April 30,
31 2008. The department shall cooperate with the institute in
32 facilitating access to data in their administrative systems. The board
33 of the Washington state institute for public policy may adjust the due
34 date for this project as necessary to efficiently manage workload.

35 (18) \$103,000 of the general fund--state appropriation for fiscal
36 year 2008, \$407,000 of the general fund--state appropriation for fiscal
37 year 2009, and \$48,000 of the general fund--federal appropriation are
38 provided solely for implementation of Engrossed Substitute House Bill

1 No. 1131 (passport to college). This includes funding to develop,
2 implement, and administer a program of educational transition planning
3 for youth in foster care as specified in the bill. If the bill is not
4 enacted by June 30, 2007, the amounts provided in this subsection shall
5 lapse.

6 (19) The department shall continue spending levels for continuum of
7 care in region one at the same level allotted during the 2005-2007
8 biennium.

9 (20) Within the amounts provided, the department shall develop and
10 implement a two-tiered reimbursement rate schedule for children from
11 birth through twenty-four months of age and children twenty-five months
12 of age through age five served by the medicaid treatment child care
13 program. The department shall work in collaboration with contracted
14 providers of the program to develop the rate schedule, taking into
15 consideration such factors as higher staff level and small group size
16 requirements for each age group. The department shall implement the
17 rate schedule no later than January 1, 2008, and neither reimbursement
18 rate in the two-tiered schedule shall be lower than the reimbursement
19 rate level from the 2007 fiscal year.

20 (21) \$60,000 of the general fund--state appropriation for fiscal
21 year 2008, \$20,000 of the general fund--state appropriation for fiscal
22 year 2009, and \$35,000 of the general fund--federal appropriation are
23 provided solely for implementation of Engrossed Substitute House Bill
24 No. 1624 (child welfare). If the bill is not enacted by June 30, 2007,
25 the amounts provided in this subsection shall lapse.

26 (22) \$49,000 of the general fund--state appropriation for fiscal
27 year 2008, \$24,000 of the general fund--state appropriation for fiscal
28 year 2009, and \$35,000 of the general fund--federal appropriation are
29 provided solely for the implementation of chapter 384, Laws of 2007.

30 (23) The department shall work with the exclusive bargaining
31 representative for the children's administration social workers to
32 prioritize social worker tasks and devise methods by which to alleviate
33 from the social workers' workload lower priority tasks. Discussions on
34 methods shall include the use of contracting services and home support
35 specialists. The department and the bargaining representative shall
36 jointly report their efforts to the appropriate committees of the
37 legislature by submitting a progress report no later than July 1, 2008,
38 and a final report by November 15, 2008.

1 (24) \$10,000 of the general fund--state appropriation for fiscal
2 year 2009 is provided solely for the department to contract with the
3 largest nonprofit organization in the state conducting education and
4 outreach on RCW 13.34.360, the safety of newborn children law.

5 (25) \$616,000 of the general fund--state appropriation for fiscal
6 year 2009 and \$184,000 of the general fund--federal appropriation are
7 provided solely to contract with medical professionals for
8 comprehensive safety assessments of high-risk families. The safety
9 assessments will use validated assessment tools to guide intervention
10 decisions through the identification of additional safety and risk
11 factors. \$400,000 of this amount is for comprehensive safety
12 assessments for families receiving in-home child protective services or
13 family voluntary services. \$400,000 of this amount is for
14 comprehensive safety assessments of families with an infant age birth
15 to fifteen days where the infant was, at birth, diagnosed as substance
16 exposed and the department received an intake referral related to the
17 infant due to the substance exposure.

18 (26) \$42,000 of the general fund--state appropriation for fiscal
19 year 2009 and \$29,000 of the general fund--federal appropriation are
20 provided solely for the department to implement Second Substitute
21 Senate Bill No. 6206 (child fatality). If the bill is not enacted by
22 June 30, 2008, the amounts provided in this subsection shall lapse.

23 (27) \$857,000 of the general fund--state appropriation for fiscal
24 year 2009 and \$140,000 of the general fund--federal appropriation are
25 provided solely for implementation of Engrossed Second Substitute House
26 Bill No. 3145 (foster parent licensing). If the bill is not enacted by
27 June 30, 2008, the amounts provided in this subsection shall lapse.

28 (28) \$415,000 of the general fund--state appropriation for fiscal
29 year 2008, \$469,000 of the general fund--state appropriation for fiscal
30 year 2009, and \$264,000 of the general fund--federal appropriation are
31 provided solely for the hiring of staff to expedite the phase-in of the
32 state's policy of a private and individual face-to-face visit each
33 month with children in out-of-home care and in-home dependencies and
34 their caregivers.

35 (29) \$109,000 of the general fund--state appropriation for fiscal
36 year 2009 and \$35,000 of the general fund--federal appropriation are
37 provided solely to implement sections 2 and 3 of Engrossed Second

1 Substitute House Bill No. 3205 (child long-term well-being). If the
2 bill is not enacted by June 30, 2008, the amounts provided in this
3 subsection shall lapse.

4 (30) The appropriations in this section provide specific funds to
5 implement Engrossed Substitute Senate Bill No. 6792 (dependency
6 matters).

7 (31) \$812,000 of the general fund--state appropriation for fiscal
8 year 2009 and \$256,000 of the general fund--federal appropriation are
9 provided solely for the department to hire additional staff to perform
10 child health education and tracking screens.

11 (32) \$1,829,000 of the general fund--state appropriation for fiscal
12 year 2009 and \$578,000 of the general fund--federal appropriation are
13 provided solely for the department to contract with ((nonprofit))
14 organizations to facilitate twice-monthly visits between siblings
15 living apart from each other in out-of-home care.

16 (33) The department shall not close any secure crisis residential
17 center facilities. The total number of statewide secure crisis
18 residential center beds is reduced from 63 to 44.

19 **Sec. 1103.** 2009 c 4 s 202 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**
22 **REHABILITATION PROGRAM**

23	General Fund--State Appropriation (FY 2008)	\$87,822,000
24	General Fund--State Appropriation (FY 2009)	((\$84,716,000))
25		<u>\$82,553,000</u>
26	General Fund--Federal Appropriation	((\$5,662,000))
27		<u>\$5,870,000</u>
28	General Fund--Private/Local Appropriation	\$1,898,000
29	Reinvesting in Youth--State Appropriation	\$1,414,000
30	Washington Auto Theft Prevention Authority Account--	
31	State Appropriation	\$171,000
32	Violence Reduction and Drug Enforcement Account--State	
33	Appropriation (FY 2008)	\$21,975,000
34	Violence Reduction and Drug Enforcement Account--State	
35	Appropriation (FY 2009)	\$22,078,000
36	Juvenile Accountability Incentive Account--Federal	
37	Appropriation	\$2,510,000

1	Pension Funding Stabilization Account--State	
2	Appropriation	\$2,200,000
3	TOTAL APPROPRIATION	((\$230,446,000))
4		<u>\$228,491,000</u>

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

7 (1) \$353,000 of the violence reduction and drug enforcement account
8 appropriation for fiscal year 2008 and \$353,000 of the violence
9 reduction and drug enforcement account appropriation for fiscal year
10 2009 are provided solely for deposit in the county criminal justice
11 assistance account for costs to the criminal justice system associated
12 with the implementation of chapter 338, Laws of 1997 (juvenile code
13 revisions). The amounts provided in this subsection are intended to
14 provide funding for county adult court costs associated with the
15 implementation of chapter 338, Laws of 1997 and shall be distributed in
16 accordance with RCW 82.14.310.

17 (2) \$3,078,000 of the violence reduction and drug enforcement
18 account appropriation and \$500,000 of the general fund--state
19 appropriation for fiscal year 2008 and \$3,078,000 of the violence
20 reduction and drug enforcement account appropriation and \$500,000 of
21 the general fund--state appropriation for fiscal year 2009 are provided
22 solely for the implementation of chapter 338, Laws of 1997 (juvenile
23 code revisions). The amounts provided in this subsection are intended
24 to provide funding for county impacts associated with the
25 implementation of chapter 338, Laws of 1997 and shall be distributed to
26 counties as prescribed in the current consolidated juvenile services
27 (CJS) formula.

28 (3) \$1,030,000 of the general fund--state appropriation and
29 \$2,686,000 of the violence reduction and drug enforcement account
30 appropriation for fiscal year 2008 and \$1,030,000 of the general fund--
31 state appropriation and \$2,686,000 of the violence reduction and drug
32 enforcement account appropriation for fiscal year 2009 are provided
33 solely to implement community juvenile accountability grants pursuant
34 to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided
35 in this subsection may be used solely for community juvenile
36 accountability grants, administration of the grants, and evaluations of
37 programs funded by the grants.

1 (4) \$1,506,000 of the violence reduction and drug enforcement
2 account appropriation for fiscal year 2008 and \$1,506,000 of the
3 violence reduction and drug enforcement account appropriation for
4 fiscal year 2009 are provided solely to implement alcohol and substance
5 abuse treatment programs for locally committed offenders. The juvenile
6 rehabilitation administration shall award these moneys on a competitive
7 basis to counties that submitted a plan for the provision of services
8 approved by the division of alcohol and substance abuse. The juvenile
9 rehabilitation administration shall develop criteria for evaluation of
10 plans submitted and a timeline for awarding funding and shall assist
11 counties in creating and submitting plans for evaluation.

12 (5) \$2,669,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$2,947,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for grants to county juvenile
15 courts for the following programs identified by the Washington state
16 institute for public policy (institute) in its October 2006 report:
17 "Evidence-Based Public Policy Options to Reduce Future Prison
18 Construction, Criminal Justice Costs and Crime Rates": Functional
19 family therapy, multi-systemic therapy, aggression replacement training
20 and interagency coordination programs or other programs with a positive
21 benefit-cost finding in the institute's report. County juvenile courts
22 shall apply to the juvenile rehabilitation administration for funding
23 for program-specific participation and the administration shall provide
24 grants to the courts consistent with the per-participant treatment
25 costs identified by the institute.

26 (6) \$1,287,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$787,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for expansion of the following
29 treatments and therapies in juvenile rehabilitation administration
30 programs identified by the Washington state institute for public policy
31 in its October 2006 report: "Evidence-Based Public Policy Options to
32 Reduce Future Prison Construction, Criminal Justice Costs and Crime
33 Rates": Multidimensional treatment foster care, family integrated
34 transitions and aggression replacement training. The administration
35 may concentrate delivery of these treatments and therapies at a limited
36 number of programs to deliver the treatments in a cost-effective
37 manner.

1 (7) The juvenile rehabilitation administration shall provide a
2 block grant, rather than categorical funding, of consolidated juvenile
3 services funds, community juvenile accountability act grants, the
4 chemically dependent disposition alternative, and the special sex
5 offender disposition to county juvenile courts, or groups of courts,
6 including the Pierce county juvenile court. The juvenile
7 rehabilitation administration and the family policy council shall
8 jointly write criteria for awarding and administering block grants to
9 county juvenile courts. In developing the criteria, the juvenile
10 rehabilitation administration and the family policy council shall seek
11 the advice of the Washington state institute for public policy. The
12 criteria shall address, but not be limited to:

13 (a) The selection of courts for participation in the block grant;

14 (b) The types of evidence-based programs and practices to which the
15 funds will be applied. The evidence-based programs and practices shall
16 either be consistent with those cost-beneficial options identified by
17 the Washington state institute for public policy in its October 2006
18 report: "Evidence-Based Public Policy Options to Reduce Future Prison
19 Construction, Criminal Justice Costs and Crime Rates," or be new
20 approaches that have the potential to demonstrate positive returns for
21 the taxpayer; and

22 (c) The protocols for participating courts to collect information
23 on the effectiveness of programs funded under the block grant,
24 including: (i) Developing intermediate client outcomes based on the
25 risk assessment tool currently used by juvenile courts and in
26 coordination with the juvenile rehabilitation administration; (ii)
27 reporting treatment outcomes including a process evaluation to the
28 juvenile rehabilitation administration and the family policy council by
29 June 20, 2008, and an outcome evaluation of recidivism and benefit-cost
30 results submitted within eighteen months of the initiation of the
31 treatment, when follow-up data are available. The courts shall develop
32 these evaluations in consultation with the juvenile rehabilitation
33 administration, the family policy council, and the Washington state
34 institute for public policy; and (iii) documenting the process for
35 managing block grant funds on a quarterly basis and provide this report
36 to the juvenile rehabilitation administration and the family policy
37 council.

1 (8) \$73,000 of the Washington auto theft prevention authority
2 account--state appropriation for fiscal year 2008 and \$98,000 of the
3 Washington auto theft prevention authority account--state appropriation
4 for fiscal year 2009 are provided solely for the implementation of
5 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the
6 bill is not enacted by June 30, 2007, the amounts provided in this
7 subsection shall lapse.

8 **Sec. 1104.** 2009 c 4 s 203 (uncodified) is amended to read as
9 follows:

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

12 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

13	General Fund--State Appropriation (FY 2008)	\$305,732,000
14	General Fund--State Appropriation (FY 2009)	(((\$308,382,000))
15		<u>\$298,118,000</u>
16	General Fund--Federal Appropriation	(((\$396,996,000))
17		<u>\$414,136,000</u>
18	General Fund--Private/Local Appropriation	(((\$16,157,000))
19		<u>\$18,732,000</u>
20	TOTAL APPROPRIATION	(((\$1,027,267,000))
21		<u>\$1,036,718,000</u>

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

24 (a) \$103,989,000 of the general fund--state appropriation for
25 fiscal year 2008 and \$122,119,000 of the general fund--state
26 appropriation for fiscal year 2009 are provided solely for persons and
27 services not covered by the medicaid program. Reductions to fiscal
28 year 2009 allocations shall be distributed proportionally to each
29 regional support network's percentage of the total state population.
30 To the extent possible, levels of regional support network spending
31 shall be maintained in the following priority order: (i) Crisis and
32 commitment services; (ii) community inpatient services; and (iii)
33 residential care services, including personal care and emergency
34 housing assistance.

35 (b) \$16,900,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$16,900,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the department and regional

1 support networks to contract for development and initial implementation
2 of high-intensity program for active community treatment (PACT) teams,
3 and other proven program approaches that the department concurs will
4 enable the regional support network to achieve significant reductions
5 during fiscal year 2008 and thereafter in the number of beds the
6 regional support network would otherwise need to use at the state
7 hospitals.

8 (c) The number of nonforensic beds allocated for use by regional
9 support networks at eastern state hospital shall be 222 per day
10 throughout fiscal year 2008. Beginning January 1, 2009, the number of
11 nonforensic beds allocated for use by regional support networks at
12 eastern state hospital shall be 192 per day. The number of nonforensic
13 beds allocated for use by regional support networks at western state
14 hospital shall be 777 per day during the first and second quarters of
15 fiscal year 2008, and 677 per day from January 2008 through August
16 2008. Beginning September 2008, the number of nonforensic beds
17 allocated for use by regional support networks at western state
18 hospital shall be 647 per day until May 2009, at which time the bed
19 allocation shall be 617 beds per day. Beginning January 2008, beds in
20 the program for adaptive living skills (PALS) are not included in the
21 preceding bed allocations. Beginning that month, the department shall
22 separately charge regional support networks for persons served in the
23 PALS program.

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

30 (e) At least \$902,000 of the federal block grant funding
31 appropriated in this subsection shall be used for the continued
32 operation of the mentally ill offender pilot program.

33 (f) \$5,000,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$5,000,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for mental health services for
36 mentally ill offenders while confined in a county or city jail and for
37 facilitating access to programs that offer mental health services upon
38 release from confinement. The department is authorized to transfer up

1 to \$418,000 of these amounts each fiscal year to the economic services
2 program for purposes of facilitating prompt access after their release
3 from confinement to medical and income assistance services for which
4 defendants and offenders may be eligible.

5 (g) \$1,500,000 of the general fund--state appropriation for fiscal
6 year 2008 and \$1,091,000 of the general fund--state appropriation for
7 fiscal year 2009 are provided solely for grants for innovative mental
8 health service delivery projects. Such projects may include, but are
9 not limited to, clubhouse programs and projects for integrated health
10 care and behavioral health services for general assistance recipients.
11 These amounts shall supplement, and not supplant, local or other
12 funding currently being used for activities funded under the projects
13 authorized in this subsection. The department shall not terminate
14 early any grant that was contracted under this subsection prior to
15 January 1, 2009, for the use of funds during fiscal year 2009.

16 (h) The department is authorized to continue to expend federal
17 block grant funds and special purpose federal grants through direct
18 contracts, rather than through contracts with regional support
19 networks, and to allocate such funds through such formulas as it shall
20 adopt.

21 (i) The department is authorized to continue to contract directly,
22 rather than through contracts with regional support networks, for
23 children's long-term inpatient facility services.

24 (j) \$2,250,000 of the general fund--state appropriation for fiscal
25 year 2008, \$2,250,000 of the general fund--state appropriation for
26 fiscal year 2009, and \$4,500,000 of the general fund--federal
27 appropriation are provided solely for the continued operation of
28 community residential and support services for persons who are older
29 adults or who have co-occurring medical and behavioral disorders and
30 who have been discharged or diverted from a state psychiatric hospital.
31 These funds shall be used to serve individuals whose treatment needs
32 constitute substantial barriers to community placement, who no longer
33 require active psychiatric treatment at an inpatient hospital level of
34 care, and who no longer meet the criteria for inpatient involuntary
35 commitment. Coordination of these services will be done in partnership
36 between the mental health program and the aging and disability services
37 administration.

1 (k) \$750,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$750,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to continue performance-based
4 incentive contracts to provide appropriate community support services
5 for individuals with severe mental illness who were discharged from the
6 state hospitals as part of the expanding community services initiative.
7 These funds will be used to enhance community residential and support
8 services provided by regional support networks through other state and
9 federal funding.

10 (l) \$135,000 of the general fund--state appropriation for fiscal
11 year 2008, \$2,961,000 of the general fund--state appropriation for
12 fiscal year 2009, and \$1,289,000 of the general fund--private/local
13 appropriation are provided solely to enable the department to contract
14 with Pierce county human services for the provision of community mental
15 health services to include crisis triage, evaluation and treatment, and
16 mobile crisis services. The legislature intends this to be one-time
17 funding while a replacement regional support network is being secured.
18 The department is authorized to reserve \$402,000 general fund--state
19 and \$201,000 general fund--local of these amounts for reasonable costs
20 incurred by Pierce county for the provision of mental health crisis and
21 related services that exceed reimbursement levels contracted by the
22 department. In order to receive these funds, Pierce county must
23 demonstrate to the department that the total cost of mental health
24 services provided by the county in accordance with formal agreements
25 has exceeded the revenues received from the department and third-party
26 payers for these services. The department shall determine the
27 documentation that is required.

28 (m) \$504,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$1,529,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely to reimburse Pierce and Spokane
31 counties for the cost of conducting 180-day commitment hearings at the
32 state psychiatric hospitals.

33 (n) \$750,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$1,500,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for the Spokane regional support
36 network to implement a comprehensive plan for reducing its utilization
37 of eastern state hospital. Key elements of the plan, which shall be
38 developed and implemented in consultation with and with the assistance

1 of the department, may include but shall not be limited to development
2 of additional crisis triage, crisis stabilization, and evaluation and
3 treatment beds; provision of housing assistance for high-utilizers of
4 hospital and jail services who are at risk of homelessness;
5 implementation of an intensive outpatient treatment team for persons
6 with co-occurring disorders and other special needs; and delivery of
7 respite care to assist elderly individuals avoid or return home after
8 hospitalization. Spokane regional support network shall receive a
9 proportional share of the fiscal year 2009 nonmedicaid rate reduction
10 out of its base funding distribution.

11 (o) The department shall not reduce medicaid capitation rates below
12 those in effect as of December 15, 2008.

13 (2) INSTITUTIONAL SERVICES

14	General Fund--State Appropriation (FY 2008)	\$138,340,000
15	General Fund--State Appropriation (FY 2009)	(\$129,272,000)
16		<u>\$126,164,000</u>
17	General Fund--Federal Appropriation	(\$145,552,000)
18		<u>\$148,501,000</u>
19	General Fund--Private/Local Appropriation	(\$66,302,000)
20		<u>\$66,521,000</u>
21	Pension Funding Stabilization Account--State	
22	Appropriation	\$7,058,000
23	TOTAL APPROPRIATION	(\$486,524,000)
24		<u>\$486,584,000</u>

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

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

30 (b) \$45,000 of the general fund--state appropriation for fiscal
31 year 2008 and \$45,000 of the general fund--state appropriation for
32 fiscal year 2009 are provided solely for payment to the city of
33 Lakewood for police services provided by the city at western state
34 hospital and adjacent areas.

35 (c) \$18,575,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$9,675,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely to operate on a temporary basis
38 five additional adult civil commitment wards at the state psychiatric

1 hospitals. The legislature intends for these wards to close, on a
2 phased basis, during the 2007-09 biennium as a result of targeted
3 investments in community services for persons who would otherwise need
4 care in the hospitals.

5 (d) \$125,000 of the general fund--state appropriation for fiscal
6 year 2008 and \$125,000 of the general fund--state appropriation for
7 fiscal year 2009 are provided solely for safety training and for
8 protective equipment for staff at eastern and western state hospitals.
9 Protective equipment shall include shields, helmets, gloves, and body
10 protection.

11 (e) \$304,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$231,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely for a community partnership
14 between western state hospital and the city of Lakewood to support
15 community policing efforts in the Lakewood community surrounding
16 western state hospital. The amounts provided in this subsection (2)(e)
17 are for the salaries, benefits, supplies, and equipment for one full-
18 time investigator, one full-time police officer, and one full-time
19 community service officer at the city of Lakewood.

20 (f) \$133,000 of the general fund--state appropriation for fiscal
21 year 2008 and \$2,145,000 of the general fund--state appropriation for
22 fiscal year 2009 are provided solely to pilot a direct care nurse
23 staffing plan for two high incident wards at eastern state hospital and
24 four high incident wards at western state hospital. The pilot provides
25 funding to fully staff registered nurses, licensed practical nurses,
26 and mental health technicians in accordance with the state psychiatric
27 hospitals direct care staffing review and recommendations. The
28 department shall have the authority to fill the positions with any mix
29 of these direct care nursing staff so long as a good faith effort is
30 made to first hire and recruit positions in accordance with the direct
31 care nurse staffing plan. The department shall monitor outcomes for
32 improved patient and staff safety and provide a written report to the
33 legislature by October 1, 2009.

34 (g) \$617,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$334,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely to cover additional operating
37 costs related to the October 11, 2007, laundry fire at western state
38 hospital.

1 (3) SPECIAL PROJECTS

2 General Fund--State Appropriation (FY 2008) \$1,892,000

3 General Fund--State Appropriation (FY 2009) \$2,269,000

4 General Fund--Federal Appropriation \$3,276,000

5 TOTAL APPROPRIATION \$7,437,000

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

8 (a) \$877,000 of the general fund--state appropriation for fiscal
9 year 2008, \$1,189,000 of the general fund--state appropriation for
10 fiscal year 2009, and \$140,000 of the general fund--federal
11 appropriation are provided solely for implementation of sections 4, 7,
12 10, and other provisions of Second Substitute House Bill No. 1088
13 (children's mental health). If the bill is not enacted by June 30,
14 2007, the amounts provided in this subsection shall lapse. Funds are
15 also appropriated in sections 207 and 209 of this act for
16 implementation of 5, 8, and 11 of Second Substitute House Bill No.
17 1088.

18 (b) \$80,000 of the general fund--state appropriation for fiscal
19 year 2009 and \$80,000 of the general fund--federal appropriation are
20 provided solely as one-time funding to make available a mental health
21 train the trainer first aid course consisting of twelve hours of
22 instruction based upon a program created by the department of
23 psychiatry, University of Melbourne in Australia. The course will
24 provide training to members of the public related to: (i) Giving
25 appropriate initial help and support to a person suffering from a
26 mental disorder and responding to mental health crisis situations; and
27 (ii) depression, anxiety disorders, psychosis, and substance use
28 disorder, including recognizing symptoms, possible causes or risk
29 factors, and evidenced-based treatment options. Participants in the
30 first aid course will train others to provide the training.

31 (4) PROGRAM SUPPORT

32 General Fund--State Appropriation (FY 2008) \$4,966,000

33 General Fund--State Appropriation (FY 2009) (~~(\$4,500,000)~~)

34 \$4,477,000

35 General Fund--Federal Appropriation (~~(\$7,557,000)~~)

36 \$7,580,000

37 TOTAL APPROPRIATION \$17,023,000

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

3 (a) \$125,000 of the general fund--state appropriation for fiscal
4 year 2008, \$125,000 of the general fund--state appropriation for fiscal
5 year 2009, and \$164,000 of the general fund--federal appropriation are
6 provided solely for the institute for public policy to continue the
7 longitudinal analysis directed in chapter 334, Laws of 2001 (mental
8 health performance audit), to build upon the evaluation of the impacts
9 of chapter 214, Laws of 1999 (mentally ill offenders), and to assess
10 program outcomes and cost effectiveness of the children's mental health
11 pilot projects as required by chapter 372, Laws of 2006.

12 (b) \$100,000 of the general fund--state appropriation for fiscal
13 year 2009 is provided solely for the department to contract with a
14 facilitator to coordinate a review and make recommendations on:

15 (i) Ward sizes at eastern and western state hospitals and patient
16 case mix by ward;

17 (ii) Discharge practices for state hospitals to include the child
18 and study treatment center; and

19 (iii) Community placements to include placements for adults and
20 children.

21 By October 15, 2008, the department shall provide to the
22 legislature recommendations for system improvement to include a
23 cost/benefit analysis. The department shall include representation
24 from regional support networks in the review and development of
25 recommendations for discharge practices and community placements.

26 **Sec. 1105.** 2009 c 4 s 204 (uncodified) is amended to read as
27 follows:

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

30 (1) COMMUNITY SERVICES

31	General Fund--State Appropriation (FY 2008)	\$348,327,000
32	General Fund--State Appropriation (FY 2009)	((\$362,407,000))
33		<u>\$343,240,000</u>
34	General Fund--Federal Appropriation	((\$653,802,000))
35		<u>\$692,754,000</u>
36	Health Services Account--State Appropriation (FY 2008)	\$452,000
37	Health Services Account--State Appropriation (FY 2009)	\$452,000

1 TOTAL APPROPRIATION ((~~\$1,365,440,000~~))
2 \$1,385,225,000

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

5 (a) The entire health services account appropriation, \$615,000 of
6 the general fund--state appropriation for fiscal year 2008, \$892,000 of
7 the general fund--state appropriation for fiscal year 2009, and
8 \$2,546,011 of the general fund--federal appropriation are provided
9 solely for health care benefits for agency home care workers who are
10 employed through state contracts for at least twenty hours a week. The
11 state contribution to the cost of health care benefits per
12 participating worker per month shall be no greater than \$532.00 in
13 fiscal year 2008 and \$585.00 in fiscal year 2009.

14 (b) Individuals receiving family support or high school transition
15 payments as supplemental security income (SSI) state supplemental
16 payments shall not become eligible for medical assistance under RCW
17 74.09.510 due solely to the receipt of SSI state supplemental payments.

18 (c) \$4,903,000 of the general fund--state appropriation for fiscal
19 year 2008, \$9,295,000 of the general fund--state appropriation for
20 fiscal year 2009, and \$15,016,000 of the general fund--federal
21 appropriation are provided solely for community residential and support
22 services. Funding in this subsection shall be prioritized for (i)
23 residents of residential habilitation centers who are able to be
24 adequately cared for in community settings and who choose to live in
25 those community settings; (ii) clients without residential services who
26 are at immediate risk of institutionalization or in crisis; (iii)
27 children who are at risk of institutionalization or who are aging out
28 of other state services; and (iv) current home and community-based
29 waiver program clients who have been assessed as having an immediate
30 need for increased services. First priority shall be given to children
31 who are at risk of institutionalization. The department shall ensure
32 that the average cost per day for all program services other than
33 start-up costs shall not exceed \$300. In order to maximize the number
34 of clients served and ensure the cost-effectiveness of the waiver
35 programs, the department will strive to limit new client placement
36 expenditures to 90 percent of the budgeted daily rate. If this can be
37 accomplished, additional clients may be served with excess funds,
38 provided the total projected carry-forward expenditures do not exceed

1 the amounts estimated. The department shall electronically report to
2 the appropriate committees of the legislature, within 45 days following
3 each fiscal year quarter, the number of persons served with these
4 additional community services, where they were residing, what kinds of
5 services they were receiving prior to placement, and the actual
6 expenditures for all community services to support these clients.

7 (d) \$2,399,000 of the general fund--state appropriation for fiscal
8 year 2008, (~~(\$5,961,000)~~) \$7,133,000 of the general fund--state
9 appropriation for fiscal year 2009, and (~~(\$8,849,000)~~) \$9,810,000 of
10 the general fund--federal appropriation are provided solely for
11 expanded community services for persons with developmental disabilities
12 who also have community protection issues. Funding in this subsection
13 shall be prioritized for (i) clients being diverted or discharged from
14 the state psychiatric hospitals; (ii) clients participating in the
15 dangerous mentally ill offender program; (iii) clients participating in
16 the community protection program; and (iv) mental health crisis
17 diversion outplacements. The department shall ensure that the average
18 cost per day for all program services other than start-up costs shall
19 not exceed \$349 in fiscal year 2008 and \$356 in fiscal year 2009. In
20 order to maximize the number of clients served and ensure the cost-
21 effectiveness of the waiver programs, the department will strive to
22 limit new client placement expenditures to 90 percent of the budgeted
23 daily rate. If this can be accomplished, additional clients may be
24 served with excess funds if the total projected carry-forward
25 expenditures do not exceed the amounts estimated. The department shall
26 implement the four new waiver programs such that decisions about
27 enrollment levels and the amount, duration, and scope of services
28 maintain expenditures within appropriations. The department shall
29 electronically report to the appropriate committees of the legislature,
30 within 45 days following each fiscal year quarter, the number of
31 persons served with these additional community services, where they
32 were residing, what kinds of services they were receiving prior to
33 placement, and the actual expenditures for all community services to
34 support these clients.

35 (e) \$13,198,000 of the general fund--state appropriation for fiscal
36 year 2008, \$16,354,000 of the general fund--state appropriation for
37 fiscal year 2009, and \$8,579,000 of the general fund--federal
38 appropriation are provided solely for family support programs for

1 individuals with developmental disabilities. Of the amounts provided
2 in this subsection (e), \$696,000 of the general fund--state
3 appropriation for fiscal year 2008 and \$3,852,000 of the general fund--
4 state appropriation for fiscal year 2009 are for state-only services
5 for individuals with developmental disabilities, as described in Second
6 Substitute Senate Bill No. 5467 (developmental disabilities). By
7 January 1, 2008, and by November 1, 2008, the department shall provide
8 a status report to the appropriate policy and fiscal committees of the
9 legislature on the individual and family services program for people
10 with developmental disabilities, which shall include the following
11 information: The number of applicants for funding; the total number of
12 awards; the number and amount of both annual and one-time awards,
13 broken down by household income levels; and the purpose of the awards.

14 (f) \$1,692,000 of the general fund--state appropriation for fiscal
15 year 2008, \$3,645,000 of the general fund--state appropriation for
16 fiscal year 2009, and \$2,397,000 of the general fund--federal
17 appropriation are provided solely for employment and day services.
18 Priority consideration for this new funding shall be young adults with
19 developmental disabilities living with their family who need employment
20 opportunities and assistance after high school graduation. Services
21 shall be provided for both waiver and nonwaiver clients. The
22 legislature finds that some waiver clients are not receiving employment
23 services that are authorized under their waivers. Within the amounts
24 appropriated in this section, waiver clients must receive services as
25 authorized by their waiver, such as pathway to employment, while
26 waiting for paid employment to be developed. The department shall work
27 with the counties to establish a consistent proposed policy for minimum
28 direct service hours for clients, minimum hours of support, time frames
29 for seeking paid employment, and services provided under pathway to
30 employment while paid employment is sought. The department shall
31 report to the office of financial management and the appropriate
32 committees of the legislature on this proposal by November 1, 2008,
33 including estimated fiscal impacts and an option for making the policy
34 budget neutral for the current level of clients served. In order to
35 maximize the number of clients served, the department may serve
36 additional nonwaiver clients with unspent funds for waiver clients,
37 provided the total projected carry-forward expenditures do not exceed
38 the amounts estimated.

1 (g) \$160,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$140,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the implementation of Second
4 Substitute Senate Bill No. 5467 (developmental disabilities). If the
5 bill is not enacted by June 30, 2007, the amounts provided in this
6 subsection shall lapse.

7 (h)(i) Amounts appropriated in this subsection are sufficient to
8 increase provider payment rates by 6.0 percent for boarding homes,
9 effective July 1, 2007, including those currently receiving exceptional
10 care rates; and by 3.2 percent, effective July 1, 2007, for adult
11 family homes, including those currently receiving exceptional care
12 rates.

13 (ii) The department shall implement phase one of full
14 implementation of a seventeen CARE level payment system for community
15 residential providers. Amounts appropriated in this section are
16 sufficient to increase adult family home provider payment rates on
17 average, effective July 1, 2008, including those currently receiving
18 exceptional care rates, and to adjust adult family home rates for the
19 first phase of a seventeen CARE level payment system. Effective July
20 1, 2008, the provider payment rate allocation for boarding homes
21 contracted as assisted living shall be the provider's June 30, 2008,
22 payment rate allocation, and the provider payment rate for boarding
23 homes contracted as ARCs and EARCs shall be adjusted to reflect phase
24 one of a seventeen CARE level payment system. This will be in effect
25 until such time as the rates are consistent between adult family homes
26 and boarding homes for delivery of the same patient care levels.

27 (iii) Amounts provided in this section and in section 206 of this
28 act are sufficient to assist adult family home providers with the cost
29 of paying liability insurance.

30 (i) (~~(\$921,000)~~) \$494,000 of the general fund--state appropriation
31 for fiscal year 2009 and (~~(\$963,000)~~) \$518,000 of the general fund--
32 federal appropriation are provided solely for the development and
33 implementation of a federal home and community-based care waiver to
34 provide intensive behavior support services to up to one hundred
35 children with developmental disabilities who have intense behaviors,
36 and their families.

37 (i) To receive services under the waiver, the child must have a
38 developmental disability and: (A) Meet an acuity measure, as

1 determined by the department, indicating that the child is at high risk
2 of needing an out-of-home placement; (B) be eligible for developmental
3 disabilities services and a home and community-based care waiver
4 program; (C) reside in his or her family home or temporarily in an
5 out-of-home placement with a plan to return home; and (D) have family
6 that demonstrates the willingness to participate in the services
7 offered through the waiver, and is not subject to a pending child
8 protective services referral.

9 (ii) The department shall authorize, contract for, and evaluate the
10 provision of intensive in-home services that support the ability of the
11 child to remain at home with their parents or relatives. Intensive
12 behavior support services under the waiver shall be provided directly
13 or by contract, and may include, but are not limited to: (A) Behavior
14 consultation and management, therapies and respite care; (B) minor home
15 or motor vehicle modifications and transportation; (C) specialized
16 nutrition and clothing; (D) training of families and other individuals
17 working with the child; and (E) inclusion in community activities.

18 (j) \$1,000,000 of the general fund--state appropriation for fiscal
19 year 2008 is provided solely for the purpose of settling all claims in
20 the *Washington Federation of State Employees, et. al v. State of*
21 *Washington*, Thurston County Superior Court Cause No. 05-2-02422-4. The
22 expenditure of this appropriation is contingent on the release of all
23 claims in this case, and total settlement costs shall not exceed the
24 appropriation in this subsection (j). If settlement is not executed by
25 June 30, 2008, the appropriation in this subsection (j) shall lapse.

26 (k) Within the amounts appropriated in this section, the department
27 shall review current infant-toddler early intervention services
28 statewide and report to the office of financial management by November
29 1, 2008, and the appropriate committees of the legislature on a
30 recommended consistent funding approach per child for the 2009-11
31 biennium, recognizing the new level of funding anticipated by school
32 district participation. The recommendations must also include a budget
33 neutral option for the current level of clients served.

34 (l) \$325,000 of the general fund--state appropriation for fiscal
35 year 2009 is provided solely for state-only employment services for
36 young adults with developmental disabilities who need employment
37 opportunities and assistance after high school graduation.

1 (m) Within the amounts appropriated in this subsection (1), the
2 department shall implement all necessary rules to facilitate the
3 transfer to a department home and community-based services (HCBS)
4 waiver of all eligible individuals who (i) currently receive services
5 under the existing state-only employment and day program, and (ii)
6 otherwise meet the waiver eligibility requirements. The amounts
7 appropriated are sufficient to ensure that all individuals currently
8 receiving services under the state-only employment and day program who
9 are not transferred to a department HCBS waiver will continue to
10 receive services.

11 ~~(n) ((Within the amounts appropriated in this subsection (1), the~~
12 ~~department shall define in-home personal care services to include a~~
13 ~~client's ability to manage their personal care worker as identified by~~
14 ~~characteristics in the functional assessment. Clients whose~~
15 ~~assessments demonstrate they are able to manage their own plan of care~~
16 ~~are not eligible for personal care through a home care agency. The~~
17 ~~department shall adopt rules to implement this section.~~

18 ~~(o))~~ The department shall not reduce and shall continue to provide
19 adult day health services.

20 (o) The department shall not pay a home care agency licensed under
21 chapter 70.127 RCW for:

- 22 (i) Personal care services provided by a family member; or
- 23 (ii) Personal care services provided by an agency employee who
24 resides with the client receiving the care.

25 If a home care agency is found to have charged the state for hours
26 which the department is not authorized to pay for under this
27 subsection, the department shall require the agency to pay back the
28 state for those hours. The department shall establish criteria for
29 termination of contracts of home care agencies that violate this
30 requirement. The department shall adopt rules to implement this
31 subsection.

32 (2) INSTITUTIONAL SERVICES

33 General Fund--State Appropriation (FY 2008)	\$80,469,000
34 General Fund--State Appropriation (FY 2009)	(((\$69,825,000))
35	<u>\$65,359,000</u>
36 General Fund--Federal Appropriation	(((\$179,338,000))
37	<u>\$184,387,000</u>
38 General Fund--Private/Local Appropriation	(((\$21,629,000))

1		<u>\$22,203,000</u>
2	Pension Funding Stabilization Account--State	
3	Appropriation	\$5,614,000
4	TOTAL APPROPRIATION	(((\$356,875,000))
5		<u>\$358,032,000</u>

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

8 (a) The developmental disabilities program is authorized to use
9 funds appropriated in this section to purchase goods and supplies
10 through direct contracting with vendors when the program determines it
11 is cost-effective to do so.

12 (b) \$100,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$100,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for services provided to community
15 clients provided by licensed professionals at the state rehabilitation
16 centers. The division shall submit claims for reimbursement for
17 services provided to clients living in the community to medical
18 assistance or third-party health care coverage, as appropriate, and
19 shall implement a system for billing clients without coverage.

20 (c) \$642,000 of the general fund--state appropriation for fiscal
21 year 2008 and \$721,000 of the general fund--state appropriation for
22 fiscal year 2009 are provided solely for the department to fulfill its
23 contracts with the school districts under chapter 28A.190 RCW to
24 provide transportation, building space, and other support services as
25 are reasonably necessary to support the educational programs of
26 students living in residential habilitation centers.

27 (d) The department shall (~~not reduce and shall~~) continue to
28 provide (~~subsidies to clients of~~) professional services at the
29 residential habilitation centers (~~professional providers to support~~
30 ~~the treatment of developmentally disabled clients who do not reside in~~
31 ~~a residential habilitation center, but shall not expand eligibility for~~
32 ~~these services~~) to eligible community clients within appropriation
33 limits.

34 (3) PROGRAM SUPPORT

35	General Fund--State Appropriation (FY 2008)	\$2,262,000
36	General Fund--State Appropriation (FY 2009)	\$1,903,000
37	General Fund--Federal Appropriation	\$2,788,000
38	TOTAL APPROPRIATION	\$6,953,000

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

3 (1) As part of the needs assessment instrument, the department
4 shall collect data on family income for minor children with
5 developmental disabilities and all individuals who are receiving
6 state-only funded services. The department shall ensure that this
7 information is collected as part of the client assessment process.

8 (2) In addition to other reductions, the reduced appropriations in
9 this section reflect an additional \$399,000 reduction in administrative
10 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
11 state government administrative costs). These administrative
12 reductions shall be achieved, to the greatest extent possible, by
13 reducing those administrative costs that do not affect direct client
14 services or direct service delivery or programs.

15 (4) SPECIAL PROJECTS

16	General Fund--State Appropriation (FY 2008)	\$17,000
17	General Fund--State Appropriation (FY 2009)	\$15,000
18	General Fund--Federal Appropriation	\$16,809,000
19	TOTAL APPROPRIATION	\$16,841,000

20 **Sec. 1106.** 2009 c 4 s 205 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
23 **SERVICES PROGRAM**

24	General Fund--State Appropriation (FY 2008)	\$700,332,000
25	General Fund--State Appropriation (FY 2009)	((\$707,293,000))
26		<u>\$653,075,000</u>
27	General Fund--Federal Appropriation	((\$1,569,912,000))
28		<u>\$1,626,012,000</u>
29	General Fund--Private/Local Appropriation	\$19,525,000
30	Pension Funding Stabilization Account--State	
31	Appropriation	\$1,448,000
32	Health Services Account--State Appropriation (FY 2008) . . .	\$2,444,000
33	Health Services Account--State Appropriation (FY 2009) . . .	\$2,444,000
34	Traumatic Brain Injury Account--State Appropriation	\$1,212,000
35	TOTAL APPROPRIATION	((\$3,004,610,000))
36		<u>\$3,006,492,000</u>

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

3 (1) The entire health services account appropriation, \$10,456,000
4 of the general fund--state appropriation for fiscal year 2008,
5 \$11,370,000 of the general fund--state appropriation for fiscal year
6 2009, and \$26,778,000 of the general fund--federal appropriation are
7 provided solely for health care benefits for agency home care workers
8 who are employed through state contracts for at least twenty hours a
9 week. The state contribution to the cost of health care benefits per
10 eligible participating worker per month shall be no greater than
11 \$532.00 in fiscal year 2008 and \$585.00 per month in fiscal year 2009.

12 (2) For purposes of implementing chapter 74.46 RCW, the weighted
13 average nursing facility payment rate shall not exceed \$159.34 for
14 fiscal year 2008 and shall not exceed \$163.72 for fiscal year 2009,
15 including the rate add-on described in subsection (9) of this section.
16 For all nursing facilities, the direct care, therapy care, support
17 services, and operations component rates established in accordance with
18 chapter 74.46 RCW shall be adjusted for economic trends and conditions
19 by 3.2 percent effective July 1, 2007, and by 1.99 percent effective
20 July 1, 2008.

21 (3) In accordance with chapter 74.46 RCW, the department shall
22 issue certificates of capital authorization that result in up to
23 \$16,000,000 of increased asset value completed and ready for occupancy
24 in fiscal year 2008; up to \$16,000,000 of increased asset value
25 completed and ready for occupancy in fiscal year 2009; and up to
26 \$16,000,000 of increased asset value completed and ready for occupancy
27 in fiscal year 2010.

28 (4) Adult day health services shall not be considered a duplication
29 of services for persons receiving care in long-term care settings
30 licensed under chapter 18.20, 72.36, or 70.128 RCW. The department
31 shall not reduce and shall continue to provide adult day health
32 services.

33 (5) In accordance with chapter 74.39 RCW, the department may
34 implement two medicaid waiver programs for persons who do not qualify
35 for such services as categorically needy, subject to federal approval
36 and the following conditions and limitations:

37 (a) One waiver program shall include coverage of care in community

1 residential facilities. Enrollment in the waiver shall not exceed 600
2 persons at any time.

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

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

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

13 (6) \$1,840,000 of the general fund--state appropriation for fiscal
14 year 2008 and \$1,877,000 of the general fund--state appropriation for
15 fiscal year 2009 are provided solely for operation of the volunteer
16 chore services program.

17 (7) The department shall establish waiting lists to the extent
18 necessary to assure that annual expenditures on the community options
19 program entry systems (COPES) program do not exceed appropriated
20 levels. In establishing and managing any such waiting list, the
21 department shall assure priority access to persons with the greatest
22 unmet needs, as determined by department assessment processes.

23 (8) \$125,000 of the general fund--state appropriation for fiscal
24 year 2008, \$125,000 of the general fund--state appropriation for fiscal
25 year 2009, and \$250,000 of the general fund--federal appropriation are
26 provided solely for the implementation of Engrossed Second Substitute
27 Senate Bill No. 5930 (blue ribbon commission on health care). If the
28 bill is not enacted by June 30, 2007, the amounts provided in this
29 subsection shall lapse.

30 (9) \$3,000,000 of the general fund--state appropriation for fiscal
31 year 2009 and \$3,134,000 of the general fund--federal appropriation are
32 provided solely to increase compensation for low-wage workers in
33 nursing homes beginning July 1, 2008. Within the funds provided, the
34 department shall provide an add-on per resident day per facility based
35 on the total funding divided by the total number of fiscal year 2009
36 medicaid patient days as forecasted by the caseload forecast council,
37 not to exceed \$1.57. The department may reduce the level of add-on if
38 necessary to fit within this appropriation if the caseload forecasted

1 days increase from the February 2008 forecast. The add-on shall be
2 used to increase wages, benefits, and/or staffing levels for certified
3 nurse aides; or to increase wages and/or benefits for dietary aides,
4 housekeepers, laundry aides, or any other category of worker whose
5 statewide average dollars-per-hour wage was less than \$15 in calendar
6 year 2006, according to cost report data. The add-on may also be used
7 to address resulting wage compression for related job classes
8 immediately affected by wage increases to low-wage workers. The
9 department shall implement reporting requirements and a settlement
10 process to ensure that the funds are spent according to this
11 subsection. The department shall adopt rules to implement the terms of
12 this subsection.

13 (10) Within amounts appropriated in this section, the department is
14 authorized to expand the number of boarding homes and adult family
15 homes that receive exceptional care rates for persons with Alzheimer's
16 disease and related dementias who might otherwise require nursing home
17 care. The department may expand the number of licensed boarding home
18 facilities that specialize in caring for such conditions by up to 100
19 beds. Effective July 1, 2008, the department shall be authorized to
20 provide adult family homes that specialize in caring for such
21 conditions with exceptional care rates for up to 50 beds. The
22 department will develop standards for adult family homes to qualify for
23 such exceptional care rates in order to enhance consumer choice.

24 (11) \$1,212,000 of the traumatic brain injury account--state
25 appropriation is provided solely for the implementation of Second
26 Substitute House Bill No. 2055 (traumatic brain injury). If the bill
27 is not enacted by June 30, 2007, the amount provided in this subsection
28 shall lapse.

29 (12)(a) Amounts appropriated in this section are sufficient to
30 increase provider payment rates by 6.0 percent for boarding homes,
31 effective July 1, 2007, including those currently receiving exceptional
32 care rates; and by 3.2 percent, effective July 1, 2007, for adult
33 family homes, including those currently receiving exceptional care
34 rates.

35 (b) The department shall implement phase one of full implementation
36 of a seventeen CARE level payment system for community residential
37 providers. Amounts appropriated in this section are sufficient to
38 increase adult family home provider payment rates on average, effective

1 July 1, 2008, including those currently receiving exceptional care
2 rates, and to adjust adult family home rates for the first phase of a
3 seventeen CARE level payment system. Effective July 1, 2008, the
4 provider payment rate allocation for boarding homes contracted as
5 assisted living shall be the provider's June 30, 2008, payment rate
6 allocation, and the provider payment rate for boarding homes contracted
7 as ARCs and EARCs shall be adjusted to reflect phase one of a seventeen
8 CARE level payment system. This will be in effect until such time as
9 the rates are consistent between adult family homes and boarding homes
10 for delivery of the same patient care levels.

11 (c) Amounts provided in this section and in section 205 of this act
12 are sufficient to assist adult family home providers with the cost of
13 paying liability insurance.

14 (13) The department shall contract for housing with service models,
15 such as cluster care, to create efficiencies in service delivery and
16 responsiveness to unscheduled personal care needs by clustering hours
17 for clients that live in close proximity to each other.

18 (14) \$2,463,000 of the general fund--state appropriation for fiscal
19 year 2009 and \$1,002,000 of the general fund--federal appropriation are
20 provided solely to implement sections 4 and 8 of Engrossed Second
21 Substitute House Bill No. 2668 (long-term care programs). If the bill
22 is not enacted by June 30, 2008, the amounts provided in this
23 subsection shall lapse.

24 (15) \$40,000 of the general fund--state appropriation for fiscal
25 year 2009 and \$40,000 of the general fund--federal appropriation are
26 provided solely to implement Second Substitute Senate Bill No. 6220
27 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute
28 House Bill No. 2668 (long-term care programs). If neither bill is
29 enacted by June 30, 2008, the amounts provided in this subsection shall
30 lapse.

31 (16) Within the funds appropriated in the section, the department
32 shall establish one statewide hourly rate to reimburse home care
33 agencies for the costs related to state clients for hours worked by
34 direct care workers in receiving mandatory training. The statewide
35 hourly rate shall be based on the hourly wage paid to individual
36 providers plus mandatory taxes plus an adjustment based on the formula
37 created under RCW 74.39A.310.

1 (17) (~~Within the amounts appropriated in this section, the~~
2 ~~department shall define in-home personal care services to include a~~
3 ~~client's ability to manage their personal care worker as identified by~~
4 ~~characteristics in the functional assessment. Clients whose~~
5 ~~assessments demonstrate they are able to manage their own plan of care~~
6 ~~are not eligible for personal care through a home care agency. The~~
7 ~~department shall adopt rules to implement this section.)) The department
8 shall not pay a home care agency licensed under chapter 70.127 RCW for:~~

- 9 (a) Personal care services provided by a family member; or
10 (b) Personal care services provided by an agency employee who
11 resides with the client receiving the care.

12 If a home care agency is found to have charged the state for hours
13 which the department is not authorized to pay for under this
14 subsection, the department shall require the agency to pay back the
15 state for those hours. The department shall establish criteria for
16 termination of contracts of home care agencies that violate this
17 requirement. The department shall adopt rules to implement this
18 subsection.

19 (18) In addition to other reductions, the reduced appropriations in
20 this section reflect an additional \$1,002,000 reduction in
21 administrative costs required by Engrossed Substitute Senate Bill No.
22 5460 (reducing state government administrative costs). These
23 administrative reductions shall be achieved, to the greatest extent
24 possible, by reducing those administrative costs that do not affect
25 direct client services or direct service delivery or programs.

26 **Sec. 1107.** 2009 c 4 s 206 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**
29 **PROGRAM**

30	General Fund--State Appropriation (FY 2008)	\$586,369,000
31	General Fund--State Appropriation (FY 2009)	(\$464,586,000)
32		<u>\$468,819,000</u>
33	General Fund--Federal Appropriation	(\$1,168,223,000)
34		<u>\$1,247,313,000</u>
35	General Fund--Private/Local Appropriation	\$33,233,000
36	Pension Funding Stabilization Account--State	
37	Appropriation	\$4,592,000

1 TOTAL APPROPRIATION ((~~\$2,257,003,000~~))
2 \$2,340,326,000

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

5 (1) \$344,694,000 of the general fund--state appropriation for
6 fiscal year 2008, (~~(\$362,304,000)~~) \$225,714,000 of the general fund--
7 state appropriation for fiscal year 2009, and (~~(\$733,276,000)~~)
8 \$448,777,000 of the general fund--federal appropriation are provided
9 solely for all components of the WorkFirst program. Within the amounts
10 provided for the WorkFirst program, the department may provide
11 assistance using state-only funds for families eligible for temporary
12 assistance for needy families. Within the amounts provided for the
13 WorkFirst program, the department shall:

- 14 (a) Establish a career services work transition program;
- 15 (b) Continue to implement WorkFirst program improvements that are
16 designed to achieve progress against outcome measures specified in RCW
17 74.08A.410. Outcome data regarding job retention and wage progression
18 shall be reported quarterly to appropriate fiscal and policy committees
19 of the legislature for families who leave assistance, measured after 12
20 months, 24 months, and 36 months. The department shall also report the
21 percentage of families who have returned to temporary assistance for
22 needy families after 12 months, 24 months, and 36 months;
- 23 (c) Submit a report by October 1, 2007, to the fiscal committees of
24 the legislature containing a spending plan for the WorkFirst program.
25 The plan shall identify how spending levels in the 2007-2009 biennium
26 will be adjusted to stay within available federal grant levels and the
27 appropriated state-fund levels;
- 28 (d) Provide quarterly fiscal reports to the office of financial
29 management and the legislative fiscal committees detailing information
30 on the amount expended from general fund--state and general fund--
31 federal by activity;
- 32 (e) For fiscal year 2009, increase the temporary assistance for
33 needy families grant standard by three percent to account for increased
34 housing costs.

35 (2) Up to \$250,000 of the general fund--state appropriation for
36 fiscal year 2008 and \$250,000 of the general fund--state appropriation
37 for fiscal year 2009 of the amounts in subsection (1) of this section
38 are for the WorkFirst pathway to engagement program. The department

1 shall collaborate with community partners and represented staff to
2 identify additional services needed for WorkFirst clients in sanction
3 status. The department shall contract with qualified community-based
4 organizations to deliver such services, provided that such services are
5 complimentary to the work of the department and are not intended to
6 supplant existing staff or services. The department shall also
7 contract with community-based organizations for the provision of
8 services for WorkFirst clients who have been terminated after six
9 months of sanction. Contracts established pursuant to this subsection
10 shall have a performance-based component and shall include both
11 presanction termination and postsanction termination services. Clients
12 shall be able to choose whether or not to accept the services. The
13 department shall develop outcome measures for the program related to
14 outreach and reengagement, reduction of barriers to employment, and
15 client feedback and satisfaction. Nothing in this subsection is
16 intended to modify a collective bargaining agreement under chapter
17 41.80 RCW or to change the state's responsibility under chapter 41.80
18 RCW. The department shall report to the appropriate policy and fiscal
19 committees of the legislature by December 1, 2007, on program
20 implementation and outcomes. The department also shall report on
21 implementation of specialized caseloads for clients in sanction status,
22 including average caseload size, referral process and criteria, and
23 expected outcomes for specialized caseloads.

24 (3) \$210,000 of the general fund--state appropriation for fiscal
25 year 2008, \$187,000 of the general fund--state appropriation for fiscal
26 year 2009, and \$396,000 of the general fund--federal appropriation are
27 provided solely for implementation of section 8 of Second Substitute
28 House Bill No. 1088 (children's mental health). If the bill is not
29 enacted by June 30, 2007, the amounts provided in this subsection shall
30 lapse.

31 (4) \$152,000 of the general fund--state appropriation for fiscal
32 year 2008, \$96,000 of the general fund--state appropriation for fiscal
33 year 2009, and \$482,000 of the general fund--federal appropriation are
34 provided solely for implementation of Second Substitute House Bill No.
35 1009 (child support schedule). If the bill is not enacted by June 30,
36 2007, the amounts provided in this subsection shall lapse.

37 (5) \$750,000 of the general fund--state appropriation for fiscal
38 year 2008 and \$750,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely to increase naturalization
2 services. These amounts shall supplement and not supplant state and
3 federal resources currently provided by the department for this
4 purpose.

5 (6) \$1,500,000 of the general fund--state appropriation for fiscal
6 year 2008 and \$1,500,000 of the general fund--state appropriation for
7 fiscal year 2009 are provided solely to increase limited English
8 proficiency pathway services. These amounts shall supplement and not
9 supplant state and federal resources currently provided by the
10 department for this purpose.

11 (7) \$250,000 of the general fund--state appropriation for fiscal
12 year 2008, \$5,782,000 of the general fund--state appropriation for
13 fiscal year 2009, and \$6,431,000 of the general fund--federal
14 appropriation are provided solely for implementation of Substitute
15 Senate Bill No. 5244 (deficit reduction act). If the bill is not
16 enacted by June 30, 2007, the amounts provided in this subsection shall
17 lapse.

18 (8) Within amounts appropriated in this section, the department
19 shall: (a) Increase the state supplemental payment by \$1.77 per month
20 beginning July 1, 2007, and by an additional \$1.83 per month beginning
21 July 1, 2008, for SSI clients who reside in nursing facilities,
22 residential habilitation centers, or state hospitals and who receive a
23 personal needs allowance; and (b) decrease other state supplemental
24 payments.

25 (9) \$100,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$100,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely to the department for the data
28 tracking provisions specified in sections 701 and 702 of Second
29 Substitute Senate Bill No. 5470 (dissolution proceedings). If the
30 bill is not enacted by June 30, 2007, the amounts provided in this
31 subsection shall lapse.

32 (10) \$1,552,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$1,552,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely for implementation of Second
35 Substitute Senate Bill No. 6016 (workfirst program). If the bill is
36 not enacted by June 30, 2007, the amounts provided in this subsection
37 shall lapse.

1 (11) \$50,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$50,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to the department to award grants
4 to small mutual assistance associations or small community-based
5 organizations that contract with the department for immigrant and
6 refugee assistance services. The funds shall be awarded to demonstrate
7 the impact of providing funding for a case worker in the community
8 organization on the refugees' economic self-sufficiency through the
9 effective use of social services, and financial and medical assistance.

10 (12) \$50,000 of the general fund--state appropriation for fiscal
11 year 2009 is provided solely for implementation of Second Substitute
12 Senate Bill No. 6483 (local food production). If the bill is not
13 enacted by June 30, 2008, the amount provided in this subsection shall
14 lapse.

15 (13) \$1,100,000 of the general fund--state appropriation for fiscal
16 year 2009 and \$850,000 of the general fund--federal appropriation are
17 provided solely to increase the gross income limits for eligibility for
18 programs authorized under RCW 74.04.500 and 74.08A.120 to 200 percent
19 of the federal poverty level. The department shall adjust its rules
20 and information technology systems to make the eligibility change
21 effective October 1, 2008.

22 (14) The department, in conjunction with the House Bill No. 1290
23 work group, shall identify and analyze barriers preventing city,
24 county, and state referrals of persons potentially eligible for
25 expedited application processing authorized under RCW 74.09.555. The
26 department, in conjunction with the House Bill No. 1290 work group,
27 shall report its findings and recommendations to the appropriate
28 committees of the legislature no later than November 15, 2008.

29 (15) \$656,000 of the general fund--state appropriation for fiscal
30 year 2009 is provided solely to the department to increase immigration
31 and naturalization services. These funds shall not supplant state and
32 federal resources currently provided by the department for this
33 purpose.

34 (16) The department shall not increase the child care copayment for
35 families above 82 percent of the federal poverty level.

36 (17) In addition to other reductions, the reduced appropriations in
37 this section reflect an additional \$516,000 reduction in administrative
38 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing

1 state government administrative costs). These administrative
2 reductions shall be achieved, to the greatest extent possible, by
3 reducing those administrative costs that do not affect direct client
4 services or direct service delivery or programs.

5 **Sec. 1108.** 2009 c 4 s 207 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**
8 **SUBSTANCE ABUSE PROGRAM**

9	General Fund--State Appropriation (FY 2008)	\$69,252,000
10	General Fund--State Appropriation (FY 2009)	(\$54,049,000)
11		<u>\$55,343,000</u>
12	General Fund--Federal Appropriation	(\$168,949,000)
13		<u>\$177,295,000</u>
14	General Fund--Private/Local Appropriation	\$6,083,000
15	Criminal Justice Treatment Account--State	
16	Appropriation	\$18,555,000
17	Violence Reduction and Drug Enforcement Account--State	
18	Appropriation (FY 2008)	\$22,186,000
19	Violence Reduction and Drug Enforcement Account--State	
20	Appropriation (FY 2009)	\$22,186,000
21	Problem Gambling Account--State	
22	Appropriation	\$1,464,000
23	Public Safety and Education Account--State	
24	Appropriation (FY 2008)	\$3,396,000
25	Public Safety and Education Account--State	
26	Appropriation (FY 2009)	\$3,395,000
27	Pension Funding Stabilization Account--State	
28	Appropriation	\$146,000
29	TOTAL APPROPRIATION	(\$369,661,000)
30		<u>\$379,301,000</u>

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

33 (1) \$2,786,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$2,785,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for the parent child assistance
36 program. The department shall contract with the University of

1 Washington and community-based providers for the provision of this
2 program. For all contractors, indirect charges for administering the
3 program shall not exceed ten percent of the total contract amount.

4 (2) \$11,113,000 of the general fund--state appropriation for fiscal
5 year 2008, \$14,490,000 of the general fund--state appropriation for
6 fiscal year 2009, and \$14,269,000 of the general fund--federal
7 appropriation are provided solely for the expansion of chemical
8 dependency treatment services for adult medicaid eligible and general
9 assistance-unemployable patients authorized under the 2005-07 biennial
10 appropriations act. By September 30, 2007, the department shall submit
11 an expenditure and program report relating to the patients receiving
12 treatment and other services pursuant to the funding provided in this
13 subsection (2), as well as to other patients receiving treatment funded
14 by the department. The report shall be submitted to the office of
15 financial management and the appropriate policy and fiscal committees
16 of the legislature. Subsequent updates to this report shall be
17 provided by January 31 and July 31 of each fiscal year of the 2007-09
18 biennium. The reports shall include, but not necessarily be limited
19 to, the following information: (a) The number and demographics
20 (including categories) of patients served; (b) geographic distribution;
21 (c) modality of treatment services provided (i.e. residential or
22 out-patient); (d) treatment completion rates; (e) funds spent; and (f)
23 where applicable, the estimated cost offsets in medical assistance on
24 a total and per patient basis.

25 (3) \$698,000 of the general fund--state appropriation for fiscal
26 year 2008, \$1,060,000 of the general fund--state appropriation for
27 fiscal year 2009, and \$154,000 of the general fund--federal
28 appropriation are provided solely for the expansion authorized under
29 the 2005-07 biennial appropriations act of chemical dependency
30 treatment services for minors who are under 200 percent of the federal
31 poverty level. The department shall monitor the number and type of
32 clients entering treatment, for purposes of determining potential cost
33 offsets.

34 (4) \$250,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$145,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely for the department to contract for
37 the following: (a) To continue an existing pilot program in Pierce
38 county limited to individuals who began chemical dependency treatment

1 using the prometa protocol prior to March 11, 2008; and (b) to contract
2 with an independent evaluator who will, to the extent possible,
3 evaluate the Pierce county pilot, as well as summarize other research
4 on the efficacy of the prometa protocol.

5 (5) \$4,449,000 of the general fund--state appropriation for fiscal
6 year 2009 and \$1,000,000 of the criminal justice treatment account
7 appropriation are provided solely to implement Engrossed Substitute
8 Senate Bill No. 6665 (crisis response), to continue existing pilot
9 programs and to expand the intensive crisis response pilot to Spokane
10 county. The continuation and expansion of the pilot programs expires
11 June 30, 2009. If the bill is not enacted by June 30, 2008, the
12 amounts provided in this subsection shall lapse.

13 (6) The department shall not reduce and shall continue to provide
14 adult care and low-income treatment and detoxification services.

15 (7) The department shall not reduce and shall continue to support
16 the families in recovery program.

17 (8) The department shall not reduce and shall continue the student
18 employment program.

19 (9) The department shall not reduce and shall continue to provide
20 funding for living allowances to clients in treatment under RCW
21 74.50.050.

22 (10) The department shall not reduce and shall continue to provide
23 funding to drug courts for treatment.

24 (11) In addition to other reductions, the reduced appropriations in
25 this section reflect an additional \$76,000 reduction in administrative
26 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
27 state government administrative costs). These administrative
28 reductions shall be achieved, to the greatest extent possible, by
29 reducing those administrative costs that do not affect direct client
30 services or direct service delivery or programs.

31 (12) The department shall not reduce and shall continue to secure
32 and provide for evaluation training for assessing children with fetal
33 alcohol spectrum disorders (FASD).

34 **Sec. 1109.** 2009 c 4 s 208 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE**

1	PROGRAM	
2	General Fund--State Appropriation (FY 2008)	\$1,602,827,000
3	General Fund--State Appropriation (FY 2009)	((\$1,533,431,000))
4		<u>\$1,441,216,000</u>
5	General Fund--Federal Appropriation	((\$4,439,060,000))
6		<u>\$4,656,158,000</u>
7	General Fund--Private/Local Appropriation	\$2,000,000
8	Emergency Medical Services and Trauma Care Systems	
9	Trust Account--State Appropriation	\$15,076,000
10	Health Services Account--State Appropriation (FY 2008) . .	\$388,946,000
11	Health Services Account--State	
12	Appropriation (FY 2009)	((\$392,857,000))
13		<u>\$364,314,000</u>
14	Tobacco Prevention and Control Account--State	
15	Appropriation	((\$1,883,000))
16		<u>\$1,727,000</u>
17	Pension Funding Stabilization Account--State	
18	Appropriation	\$646,000
19	TOTAL APPROPRIATION	((\$8,376,726,000))
20		<u>\$8,472,910,000</u>

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

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

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

33 (3) Sufficient amounts are appropriated in this section for the
34 department to continue podiatry services for medicaid-eligible adults.

35 (4) Sufficient amounts are appropriated in this section for the
36 department to provide an adult dental benefit that is at least
37 equivalent to the benefit provided in the 2003-05 biennium.

1 (5) In accordance with RCW 74.46.625, \$6,000,000 of the general
2 fund--federal appropriation is provided solely for supplemental
3 payments to nursing homes operated by public hospital districts. The
4 public hospital district shall be responsible for providing the
5 required nonfederal match for the supplemental payment, and the
6 payments shall not exceed the maximum allowable under federal rules.
7 It is the legislature's intent that the payments shall be supplemental
8 to and shall not in any way offset or reduce the payments calculated
9 and provided in accordance with part E of chapter 74.46 RCW. It is the
10 legislature's further intent that costs otherwise allowable for rate-
11 setting and settlement against payments under chapter 74.46 RCW shall
12 not be disallowed solely because such costs have been paid by revenues
13 retained by the nursing home from these supplemental payments. The
14 supplemental payments are subject to retrospective interim and final
15 cost settlements based on the nursing homes' as-filed and final
16 medicare cost reports. The timing of the interim and final cost
17 settlements shall be at the department's discretion. During either the
18 interim cost settlement or the final cost settlement, the department
19 shall recoup from the public hospital districts the supplemental
20 payments that exceed the medicaid cost limit and/or the medicare upper
21 payment limit. The department shall apply federal rules for
22 identifying the eligible incurred medicaid costs and the medicare upper
23 payment limit.

24 (6) \$1,111,000 of the health services account appropriation for
25 fiscal year 2008, \$1,110,000 of the health services account
26 appropriation for fiscal year 2009, \$5,402,000 of the general fund--
27 federal appropriation, \$1,590,000 of the general fund--state
28 appropriation for fiscal year 2008, and \$1,591,000 of the general
29 fund--state appropriation for fiscal year 2009 are provided solely for
30 grants to rural hospitals. The department shall distribute the funds
31 under a formula that provides a relatively larger share of the
32 available funding to hospitals that (a) serve a disproportionate share
33 of low-income and medically indigent patients and (b) have relatively
34 smaller net financial margins, to the extent allowed by the federal
35 medicaid program.

36 (7) \$10,546,000 of the health services account appropriation for
37 fiscal year 2008, \$10,546,000 of the health services account--state
38 appropriation for fiscal year 2009, and \$19,725,000 of the general

1 fund--federal appropriation are provided solely for grants to nonrural
2 hospitals. The department shall distribute the funds under a formula
3 that provides a relatively larger share of the available funding to
4 hospitals that (a) serve a disproportionate share of low-income and
5 medically indigent patients and (b) have relatively smaller net
6 financial margins, to the extent allowed by the federal medicaid
7 program.

8 (8) The department shall continue the inpatient hospital certified
9 public expenditures program for the 2007-2009 biennium. The program
10 shall apply to all public hospitals, including those owned or operated
11 by the state, except those classified as critical access hospitals or
12 state psychiatric institutions. The department shall submit reports to
13 the governor and legislature by November 1, 2007, and by November 1,
14 2008, that evaluate whether savings continue to exceed costs for this
15 program. If the certified public expenditures (CPE) program in its
16 current form is no longer cost-effective to maintain, the department
17 shall submit a report to the governor and legislature detailing
18 cost-effective alternative uses of local, state, and federal resources
19 as a replacement for this program. During fiscal year 2008 and fiscal
20 year 2009, hospitals in the program shall be paid and shall retain (a)
21 one hundred percent of the federal portion of the allowable hospital
22 cost for each medicaid inpatient fee-for-service claim payable by
23 medical assistance; and (b) one hundred percent of the federal portion
24 of the maximum disproportionate share hospital payment allowable under
25 federal regulations. Inpatient medicaid payments shall be established
26 using an allowable methodology that approximates the cost of claims
27 submitted by the hospitals. Payments made to each hospital in the
28 program in each fiscal year of the biennium shall be compared to a
29 baseline amount. The baseline amount will be determined by the total
30 of (a) the inpatient claim payment amounts that would have been paid
31 during the fiscal year had the hospital not been in the CPE program,
32 and (b) disproportionate share hospital payment amounts paid to and
33 retained by each hospital during fiscal year 2005 that pertain to
34 fiscal year 2005. If payments during the fiscal year exceed the
35 hospital's baseline amount, no additional payments will be made to the
36 hospital except the federal portion of allowable disproportionate share
37 hospital payments for which the hospital can certify allowable match.
38 If payments during the fiscal year are less than the baseline amount,

1 the hospital will be paid a state grant equal to the difference between
2 payments during the fiscal year and the applicable baseline amount.
3 Payment of the state grant shall be made in the applicable fiscal year
4 and distributed in monthly payments. The grants will be recalculated
5 and redistributed as the baseline is updated during the fiscal year.
6 The grant payments are subject to an interim settlement within eleven
7 months after the end of the fiscal year. A final settlement shall be
8 performed within two years after the end of the related fiscal year.
9 To the extent that either settlement determines that a hospital has
10 received funds in excess of what it would have received as described in
11 this subsection, the hospital must repay the excess amounts to the
12 state when requested. \$61,728,000 of the general fund--state
13 appropriation for fiscal year 2008, of which \$6,570,000 is appropriated
14 in section 204(1) of this act and the balance in this section, and
15 (~~(\$47,745,000)~~) \$46,490,000 of the general fund--state appropriation
16 for fiscal year 2009, of which \$6,570,000 is appropriated in section
17 204(1) of this act and the balance in this section, are provided solely
18 for state grants for the participating hospitals.

19 (9) \$4,399,000 of the general fund--state appropriation for fiscal
20 year 2008, (~~(\$6,391,000)~~) \$6,094,000 of the general fund--state
21 appropriation for fiscal year 2009, and (~~(\$55,384,000)~~) \$53,470,000 of
22 the general fund--federal appropriation are provided solely for
23 development and implementation of a replacement system for the existing
24 medicaid management information system. The amounts are conditioned on
25 the department satisfying the requirements of section 902 of this act.

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

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

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

36 (13) The department shall, within available resources, continue
37 operation of the medical care services care management pilot project

1 for clients receiving general assistance benefits in King and Pierce
2 counties. The project may use a full or partial capitation model that
3 includes a mechanism for shared savings.

4 (14) \$1,688,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$1,689,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely to incorporate a mental health
7 service component to the pilot project established pursuant to
8 subsection (13) of this section. Addition of the mental health service
9 component authorized in this subsection is contingent upon the managed
10 care contractor or the participating counties providing, alone or in
11 combination, matching funds in cash or in kind, in an amount equal to
12 one-ninth of the amounts appropriated in this subsection. The mental
13 health service component may include care coordination, mental health
14 services, and integrated medical and mental health service delivery for
15 general assistance clients with mental health disorders, as well as
16 primary care provider training and education. The department shall
17 provide a report to the appropriate committees of the legislature by
18 January 1, 2009, on costs, savings, and any outcomes or quality
19 measures associated with the pilot projects during calendar year 2007
20 and 2008. To the extent possible, the report shall address any impact
21 that the mental health services component has had upon clients' use of
22 medical services, including but not limited to primary care physician's
23 visits, emergency room utilization, and prescription drug utilization.

24 (15) \$341,000 of the health services account appropriation for
25 fiscal year 2008, \$1,054,000 of the health services account
26 appropriation for fiscal year 2009, and \$1,461,000 of the general
27 fund--federal appropriation are provided solely to implement Second
28 Substitute House Bill No. 1201 (foster care youth medical). If the
29 bill is not enacted by June 30, 2007, the amounts provided in this
30 subsection shall lapse.

31 (16) \$6,728,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$8,563,000 of the general fund--state appropriation for
33 fiscal year 2009 are provided solely to provide full benefit dual
34 eligible beneficiaries with medicare part D prescription drug copayment
35 coverage in accordance with chapter 3, Laws of 2007 (part D copayment
36 drug program).

37 (17) The department shall conduct a study to determine the
38 financial impact associated with continuing to cover brand name

1 medications versus the same medication in its generic form. The study
2 shall account for all rebates paid to the state on each product studied
3 up until the point where the generic form is less expensive, net of
4 federally required rebates. The department shall submit its report to
5 the legislative fiscal committees by December 1, 2007.

6 (18) \$198,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$134,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided solely for the first two years of a four-
9 year project by the Seattle-King county health department to improve
10 management of symptoms and reduce complications related to asthma among
11 medicaid eligible children. The department shall contract with the
12 Seattle-King county health department to have trained community health
13 workers visit medicaid eligible children in their homes to identify and
14 reduce exposure to asthma triggers, improve clients' self-management
15 skills, and coordinate clients' care with their primary care and
16 specialty providers. The contract shall include an evaluation of the
17 impact of the services provided under the contract on urgent
18 physician's visits, emergency room utilization, and inpatient
19 hospitalization.

20 (19) \$1,529,000 of the general fund--state appropriation for fiscal
21 year 2008 and \$1,624,000 of the general fund--state appropriation for
22 fiscal year 2009 are provided solely for development and implementation
23 of an outreach program as provided in chapter 5, Laws of 2007 (Second
24 Substitute Senate Bill No. 5093, health services for children).

25 (a) By December 15, 2007, the department shall provide a report to
26 the appropriate committees of the legislature on the progress of
27 implementing the following activities:

28 (i) Feasibility study and implementation plan to develop online
29 application capability that is integrated with the department's
30 automated client eligibility system;

31 (ii) Development of data linkages with the office of superintendent
32 of public instruction for free and reduced-price lunch enrollment
33 information and the department of early learning for child care subsidy
34 program enrollment information;

35 (iii) Informing insurers and providers when their enrollees'
36 eligibility is going to expire so insurers and providers can help
37 families reenroll;

1 (iv) Outreach contracts with local governmental entities, community
2 based organizations, and tribes;

3 (v) Results of data sharing with outreach contractors, and other
4 contracted entities such as local governments, community-based
5 organizations, tribes, health care providers, and insurers to engage,
6 enroll, and reenroll identified children;

7 (vi) Results of efforts to maximize federal matching funds,
8 wherever possible; and

9 (vii) Plans for sustaining outreach programs proven to be
10 successful.

11 (b)(i) Within the amounts provided under this subsection (19),
12 sufficient funding is provided to the department to develop and
13 implement in conjunction with the employment security department a plan
14 that would:

15 (A) Allow applicants and recipients of unemployment insurance to
16 request assistance with obtaining health coverage for household
17 members; and

18 (B) Authorize the exchange of information between the employment
19 security department and the department of social and health services to
20 more efficiently determine eligibility for health coverage under
21 chapter 74.09 RCW.

22 (ii) The plan developed in (b)(i) of this subsection should address
23 permissible uses of federal employment security funding and
24 infrastructure, identification of any necessary statutory changes, and
25 cost information. The department shall submit the plan in a report to
26 the governor and the appropriate committees of the legislature by
27 November 15, 2008.

28 (20) \$640,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$616,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely for a medicare advantage program.
31 The department shall:

32 (a) Pay the premiums associated with enrollment in a medicare
33 advantage plan for those full benefit dual eligible beneficiaries, as
34 defined in RCW 74.09.010, who were enrolled on or before November 14,
35 2006 in a medicare advantage plan sponsored by an entity accredited by
36 the national committee for quality assurance and for whom the
37 department had been paying Part C premium as of November 2006; and

1 (b) Undertake, directly or by contract, a study to determine the
2 cost-effectiveness of paying premiums for enrollment of full benefit
3 dual eligible beneficiaries in medicare advantage plans in lieu of
4 paying full benefit dual eligible beneficiaries' medicare cost-sharing.
5 The study shall compare the cost and health outcomes experience,
6 including rates of nursing home placement and costs for groups of full
7 benefit dual eligible beneficiaries who are enrolled in medicare
8 advantage plans, in medicare special needs plan or in medicare fee-for-
9 service. The study shall compare the health status and utilization of
10 health and long-term care services for the three groups, and the impact
11 of access to a medical home and specialty care, over a period of two
12 years to determine any differences in health status, health outcomes,
13 and state expenditures that result. The department shall submit the
14 results of the study to the governor and the legislature by June 30,
15 2009. The department is authorized to accept private cash and in-kind
16 donations and grants to support the study and evaluation.

17 (c) Track enrollment and expenditures for this population on
18 department monthly management reports.

19 (21) The department may not transition to managed care delivery any
20 population that has been primarily served under fee-for-service
21 delivery unless the department first conducts a cost-effectiveness
22 evaluation of the transition, including an evaluation of historical
23 data on utilization patterns, and finds that the transition would
24 result in a more effective and cost-efficient form of service delivery,
25 pursuant to RCW 74.09.470. Any such finding must be provided to the
26 governor and the legislature no less than ninety days before the
27 transition begins.

28 (22) \$756,000 of the general fund--state appropriation for fiscal
29 year 2008, \$1,193,000 of the general fund--state appropriation for
30 fiscal year 2009, \$1,261,000 of the health services account--state
31 appropriation for fiscal year 2009, and \$2,448,000 of the general
32 fund--federal appropriation are provided solely to implement sections
33 5, 7, 8, and 11 of Second Substitute House Bill No. 1088 (children's
34 mental health). If the bill is not enacted by June 30, 2007, the
35 amounts provided in this subsection shall lapse.

36 (23) \$288,000 of the general fund--state appropriation for fiscal
37 year 2008, \$277,000 of the general fund--state appropriation for fiscal
38 year 2009, and \$566,000 of the general fund--federal appropriation are

1 provided solely for the implementation of Engrossed Second Substitute
2 Senate Bill No. 5930 (blue ribbon comm/health care). If the bill is
3 not enacted by June 30, 2007, the amounts provided in this subsection
4 shall lapse.

5 (24) \$45,000 of the general fund--state appropriation for fiscal
6 year 2008 is provided solely for the department of social and health
7 services, in consultation with the health care authority and the
8 employment security department, to prepare and submit a report and
9 recommendations to the governor and the legislature related to coverage
10 of low-wage workers enrolled on state plans who are employed by
11 employers with more than fifty employees. The report shall address
12 multiple approaches, including but not limited to the proposal included
13 in House Bill No. 2094 (taxpayer health care fairness act). The
14 discussion of each approach included in the report should identify how
15 the approach would further the goal of shared responsibility for
16 coverage of low-wage workers, obstacles to implementation and options
17 to address them, and estimated implementation costs. The report shall
18 be submitted on or before November 15, 2007. The agencies shall
19 establish a workgroup, which shall be closely involved and consulted in
20 the development of the report and recommendations under this
21 subsection. The workgroup shall include the following participants:
22 Persons or organizations representing large employers in the retail,
23 agricultural and grocery trades, other large employers, organizations
24 representing employees of large employers, organizations representing
25 low-wage employees of large employers, state and local governmental
26 entities as employers, and organizations representing employees of
27 state and local governmental entities. In addition, the workgroup
28 shall include three members from each of the two largest caucuses of
29 the house of representatives, appointed by the speaker, and three
30 members from each of the two largest caucuses of the senate, appointed
31 by the president of the senate.

32 (25) \$1,883,000 of the tobacco prevention and control account--
33 state appropriation and \$1,742,000 of the general fund--federal
34 appropriation are for the provision of smoking cessation benefits
35 pursuant to Senate Bill No. 6421 (smoking cessation). If the bill is
36 not enacted by June 30, 2008, the amounts provided in this subsection
37 shall lapse.

1 (26) As part of the five-year plan on state purchasing to improve
2 health care quality under chapter 259, Laws of 2007, the department, in
3 collaboration with the department of health, shall provide a report to
4 the appropriate committees of the legislature outlining a strategy to
5 improve immunization rates for all children in the state, including but
6 not limited to vaccine administration fee increases and pay-for-
7 performance incentives. The department shall submit the report to the
8 governor and the health policy and fiscal committees of the legislature
9 by November 1, 2008.

10 (27) Within existing funds, the department shall evaluate the
11 fiscal impact of the federal upper limits on medicaid reimbursement to
12 pharmacies implemented under the federal deficit reduction act, and
13 report its findings to the legislature by December 1, 2008.

14 (28)(a) \$100,000 of the general fund--state appropriation for
15 fiscal year 2009 is provided solely for a feasibility study to examine
16 processes and systems that would expeditiously link persons released
17 from confinement in state and local correctional facilities and
18 institutions for mental diseases to medical assistance benefits for
19 which they qualify. The study shall present an analysis of the costs
20 and benefits associated with:

21 (i) Suspending eligibility for persons who were receiving medical
22 assistance at the time their confinement began, such that upon the
23 person's release from confinement, medical assistance benefits would
24 immediately resume without the filing of a new application. In the
25 evaluation of eligibility suspension, the department shall examine
26 process modifications that would allow confined persons to recertify
27 eligibility before or immediately after release from confinement;

28 (ii) Improving the efficiency and expanding the scope of the
29 expedited medical assistance reinstatement and eligibility
30 determination process established under RCW 74.09.555, including
31 extending the process to persons other than those with mental
32 disorders, both for persons who had been previously eligible before
33 confinement and for persons who had not been eligible before
34 confinement;

35 (iii) Providing medical and mental health evaluations to determine
36 disability for purposes of the medical assistance program before the
37 person's release from confinement; and

1 (iv) Notifying the department in a timely manner when a person who
2 has been enrolled in medical assistance is confined in a state
3 correctional institution or institution for mental diseases or is
4 released from confinement.

5 (b) In conducting the study, the department shall collaborate with
6 the Washington association of sheriffs and police chiefs, the
7 department of corrections, the regional support networks, department
8 field offices, institutions for mental diseases, and correctional
9 institutions. The department shall submit the study to the governor
10 and the legislature by November 15, 2008.

11 (29) \$50,000 of the general fund--state appropriation for fiscal
12 year 2009 and \$50,000 of the general fund--federal appropriation are
13 provided solely for implementation of the agency's responsibilities in
14 Engrossed Second Substitute House Bill No. 2549 (patient-centered
15 primary care). If the bill is not enacted by June 30, 2008, the
16 amounts provided in this subsection shall lapse.

17 (30) The department shall not reduce and shall continue to provide
18 family planning nurses and supplies at community services offices.

19 (31) The department shall not eliminate and shall continue to
20 provide a nurse hotline for foster parents.

21 (32) The department shall not reduce and shall provide medical
22 assistance to children under three-hundred percent of the federal
23 poverty level.

24 (33) The department shall not reduce and shall continue to provide
25 maternity support services to pregnant and postpartum women.

26 (34) The department shall not reduce and shall continue to provide
27 transportation services to patients receiving adult day health
28 services.

29 (35) The department shall continue children's health coverage
30 outreach and education efforts. These efforts shall rely on existing
31 relationships and systems developed to implement the program under RCW
32 74.09.470, such as those with local public health agencies, health care
33 providers, public schools, the women, infants, and children program,
34 the early childhood education and assistance program, child care
35 providers, newborn visiting nurses, and other community-based
36 organizations. The department shall seek public-private partnerships
37 and federal funds that may become available to provide on-going support
38 for outreach and education efforts.

1 (36) The department shall reduce expenditures on pharmaceuticals
2 and durable medical equipment.

3 (37) The department shall not reduce hospital rates.

4 (38) In addition to other reductions, the reduced appropriations in
5 this section reflect an additional \$1,062,000 reduction in
6 administrative costs required by Engrossed Substitute Senate Bill No.
7 5460 (reducing state government administrative costs). These
8 administrative reductions shall be achieved, to the greatest extent
9 possible, by reducing those administrative costs that do not affect
10 direct client services or direct service delivery or programs.

11 (39) The department shall reduce reimbursement for brand-name
12 single-source drugs to sixteen percent less than the average wholesale
13 price.

14 **Sec. 1110.** 2009 c 4 s 209 (uncodified) is amended to read as
15 follows:

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

18	General Fund--State Appropriation (FY 2008)	\$11,543,000
19	General Fund--State Appropriation (FY 2009)	(\$8,182,000)
20		<u>\$8,170,000</u>
21	General Fund--Federal Appropriation	(\$95,975,000)
22		<u>\$100,521,000</u>
23	Telecommunications Devices for the Hearing and	
24	Speech Impaired--State Appropriation	\$1,975,000
25	Pension Funding Stabilization Account--State	
26	Appropriation	\$116,000
27	TOTAL APPROPRIATION	(\$117,791,000)
28		<u>\$122,325,000</u>

29 **Sec. 1111.** 2009 c 4 s 210 (uncodified) is amended to read as
30 follows:

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

33	General Fund--State Appropriation (FY 2008)	\$52,506,000
34	General Fund--State Appropriation (FY 2009)	(\$52,216,000)
35		<u>\$51,478,000</u>
36	TOTAL APPROPRIATION	(\$104,722,000)

1 \$103,984,000

2 **Sec. 1112.** 2009 c 4 s 212 (uncodified) is amended to read as
3 follows:

4 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**
5 **AGENCIES PROGRAM**

6	General Fund--State Appropriation (FY 2008)	\$59,085,000
7	General Fund--State Appropriation (FY 2009)	(\$52,540,000)
8		<u>\$53,620,000</u>
9	General Fund--Federal Appropriation	(\$53,302,000)
10		<u>\$53,864,000</u>
11	TOTAL APPROPRIATION	(\$164,927,000)
12		<u>\$166,569,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations: \$235,000 of the general fund--state
15 appropriation for fiscal year 2009 and \$111,000 of the general fund--
16 federal appropriation are provided solely to implement sections 2 and
17 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term
18 well-being). If the bill is not enacted by June 30, 2008, the amounts
19 provided in this subsection shall lapse.

20 **Sec. 1113.** 2009 c 4 s 213 (uncodified) is amended to read as
21 follows:

22 **FOR THE STATE HEALTH CARE AUTHORITY**

23	General Fund--State Appropriation (FY 2008)	\$1,000,000
24	<u>General Fund--State Appropriation (FY 2009)</u>	<u>\$500,000</u>
25	General Fund--Federal Appropriation	\$4,934,000
26	State Health Care Authority Administrative Account--	
27	State Appropriation	\$41,497,000
28	State Health Care Authority Administrative Account--	
29	Private/Local Appropriation	\$100,000
30	Medical Aid Account--State Appropriation	\$527,000
31	Health Services Account--State Appropriation	
32	(FY 2008)	\$271,478,000
33	Health Services Account--State Appropriation	
34	(FY 2009)	(\$291,795,000)
35		<u>\$291,124,000</u>
36	TOTAL APPROPRIATION	(\$611,331,000)

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

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

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

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

(4) Appropriations in this act include specific funding for health

1 records banking under section 10 of Engrossed Second Substitute Senate
2 Bill No. 5930 (blue ribbon commission).

3 (5) \$11,934,000 of the health services account--state appropriation
4 for fiscal year 2008 and \$11,834,000 of the health services account--
5 state appropriation for fiscal year 2009 are provided solely for
6 funding for health care services provided through local community
7 clinics.

8 (6) \$784,000 of the health services account--state appropriation
9 for fiscal year 2008, \$540,000 of the general fund--federal
10 appropriation, and \$8,200,000 of the state health care authority
11 administrative account--state appropriation are provided for the
12 development of a new benefits administration and insurance accounting
13 system.

14 (7) \$2,000,000 of the health services account--state appropriation
15 for fiscal year 2009 is provided solely for the authority to provide
16 one-time competitive grants to community health centers to increase the
17 number of adults served on an ongoing basis. Each clinic receiving
18 grant funding shall report annually, beginning December 2008, on key
19 adult access indicators established by the authority, including but not
20 limited to increases in the number of low-income adults served.

21 (8) \$1,639,000 of the health services account--state appropriation
22 for fiscal year 2008 is provided solely for section 5 of Engrossed
23 Second Substitute House Bill No. 1569 (health insurance partnership
24 board) and related provisions of Engrossed Second Substitute Senate
25 Bill No. 5930 (blue ribbon commission on health care).

26 (9) \$664,000 of the health services account--state appropriation
27 for fiscal year 2008 is provided solely for the implementation of the
28 Washington quality forum, pursuant to section 9 of Engrossed Second
29 Substitute Senate Bill No. 5930 (blue ribbon commission). If the
30 section is not enacted by June 2007, the amounts provided in this
31 subsection shall lapse.

32 (10) \$600,000 of the state health care authority administrative
33 account--state appropriation is provided solely for the implementation
34 of the state employee health pilot, pursuant to section 41 of Engrossed
35 Second Substitute Senate Bill No. 5930 (blue ribbon commission). If
36 the section is not enacted by June 2007, the amounts provided in this
37 subsection shall lapse.

1 (11) \$250,000 of the health services account--state appropriation
2 for fiscal year 2008 and \$250,000 of the health services account--state
3 appropriation for fiscal year 2009 are provided solely for continuation
4 of the community health collaborative grant program in accordance with
5 chapter 67, Laws of 2006 (E2SSB 6459). The applicant organizations
6 must assure measurable improvements in health access within their
7 service region, demonstrate active collaboration with key community
8 partners, and provide two dollars in matching funds for each grant
9 dollar awarded.

10 (12) \$731,000 of the health services account--state appropriation
11 for fiscal year 2008 and \$977,000 of the health services account--state
12 appropriation for fiscal year 2009 are provided solely for the dental
13 residency program, including maintenance of the existing residency
14 positions and the establishment of six additional resident positions in
15 fiscal year 2008 (four in eastern Washington and two in the Seattle
16 area), and five additional positions in fiscal year 2009.

17 (13) Appropriations in this act include funding for sections 14
18 (reducing unnecessary emergency room use) and 40 (state employee health
19 program) of Engrossed Second Substitute Senate Bill No. 5930 (blue
20 ribbon commission).

21 (14) \$100,000 of the health services account--state appropriation
22 for fiscal year 2009 is provided solely for implementation of the
23 agency's responsibilities in Engrossed Second Substitute House Bill No.
24 2549 (patient-centered primary care). If the bill is not enacted by
25 June 30, 2008, the amount provided in this subsection shall lapse.

26 **Sec. 1114.** 2009 c 4 s 214 (uncodified) is amended to read as
27 follows:

28 **FOR THE HUMAN RIGHTS COMMISSION**

29	General Fund--State Appropriation (FY 2008)	\$3,377,000
30	General Fund--State Appropriation (FY 2009)	\$3,580,000
31	General Fund--Federal Appropriation	(\$1,523,000)
32		<u>\$1,723,000</u>
33	TOTAL APPROPRIATION	(\$8,480,000)
34		<u>\$8,680,000</u>

35 The appropriations in this section are subject to the following
36 conditions and limitations: \$115,000 of the general fund--state
37 appropriation for fiscal year 2008 and \$190,000 of the general fund--

1 state appropriation for fiscal year 2009 are provided solely for
2 implementation of Engrossed Substitute Senate Bill No. 6776
3 (whistleblower protections). If the bill is not enacted by June 30,
4 2008, the amounts provided in this subsection shall lapse.

5 **Sec. 1115.** 2009 c 4 s 215 (uncodified) is amended to read as
6 follows:

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

8	Worker and Community Right-to-Know Account--State	
9	Appropriation	\$20,000
10	Accident Account--State Appropriation	((\$17,963,000))
11		<u>\$18,045,000</u>
12	Medical Aid Account--State Appropriation	((\$17,964,000))
13		<u>\$18,046,000</u>
14	TOTAL APPROPRIATION	((\$35,947,000))
15		<u>\$36,111,000</u>

16 **Sec. 1116.** 2009 c 4 s 216 (uncodified) is amended to read as
17 follows:

18 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

19	General Fund--State Appropriation (FY 2009)	\$306,000
20	Public Safety and Education Account--State	
21	Appropriation (FY 2008)	\$15,680,000
22	Public Safety and Education Account--State	
23	Appropriation (FY 2009)	((\$21,445,000))
24		<u>\$21,320,000</u>
25	Death Investigations Account--State Appropriation	\$148,000
26	Municipal Criminal Justice Assistance Account--	
27	State Appropriation	\$460,000
28	Washington Auto Theft Prevention Authority Account--	
29	State Appropriation	\$12,322,000
30	TOTAL APPROPRIATION	((\$50,361,000))
31		<u>\$50,236,000</u>

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

- 34 (1) During the 2007-2009 biennium, the criminal justice training
35 commission is authorized to raise existing fees charged for firearms
36 certification for security guards in excess of the fiscal growth factor

1 established pursuant to RCW 43.135.055, if necessary, to meet the
2 actual costs of conducting the certification programs and the
3 appropriation levels in this section.

4 (2) \$2,390,000 of the public safety and education account--state
5 appropriation for fiscal year 2008 and (~~(\$1,809,000)~~) \$1,684,000 of the
6 public safety and education account--state appropriation for fiscal
7 year 2009 are provided solely for ten additional basic law enforcement
8 academies in fiscal year 2008 and (~~nine~~) eight additional basic law
9 enforcement academies in fiscal year 2009.

10 (3) \$1,044,000 of the public safety and education account--state
11 appropriation for fiscal year 2008 and \$1,191,000 of the public safety
12 and education account--state appropriation for fiscal year 2009 are
13 provided solely for the Washington association of sheriffs and police
14 chiefs to continue to develop, maintain, and operate the jail booking
15 and reporting system (JBRS) and the statewide automated victim
16 information and notification system (SAVIN).

17 (4) \$28,000 of the public safety and education account--state
18 appropriation for fiscal year 2008 is provided solely for the
19 implementation of chapter 10, Laws of 2007 (SSB 5191, missing persons).

20 (5) \$5,400,000 of the Washington auto theft prevention authority
21 account--state appropriation for fiscal year 2008 and \$6,922,000 of the
22 Washington auto theft prevention authority account--state appropriation
23 for fiscal year 2009 are provided solely for the implementation of
24 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the
25 bill is not enacted by June 30, 2007, the amounts provided in this
26 subsection shall lapse.

27 (6) \$150,000 of the public safety and education account--state
28 appropriation for fiscal year 2008 and \$150,000 of the public safety
29 and education account--state appropriation for fiscal year 2009 are
30 provided solely to deliver multi-disciplinary team training sessions
31 aimed at improving the coordination of, and communication between,
32 agencies involved in the investigation of child fatality, child sexual
33 abuse, child physical abuse, and criminal neglect cases.

34 (7) \$25,000 of the public safety and education account--state
35 appropriation for fiscal year 2008 is provided solely for the
36 implementation of Substitute Senate Bill No. 5987 (gang-related
37 offenses). If the bill is not enacted by June 30, 2007, the amount
38 provided in this subsection shall lapse.

1 (8) \$50,000 of the public safety and education account--state
2 appropriation for fiscal year 2008 and \$50,000 of the public safety and
3 education account--state appropriation for fiscal year 2009 are
4 provided solely for support of the coalition of small police agencies
5 major crimes task force. The purpose of this task force is to pool its
6 resources and to establish an efficient and cooperative approach in
7 addressing major violent crimes.

8 (9) \$20,000 of the public safety and education account--state
9 appropriation for fiscal year 2008 is provided solely for the
10 implementation of Substitute Senate Bill No. 5315 (forest
11 fires/property access). If the bill is not enacted by June 30, 2007,
12 the amount provided in this subsection shall lapse.

13 (10) \$5,000,000 of the public safety and education account--state
14 appropriation for fiscal year 2009 is provided to the Washington
15 association of sheriffs and police chiefs solely to verify the address
16 and residency of all registered sex offenders and kidnapping offenders
17 under RCW 9A.44.130. The Washington association of sheriffs and police
18 chiefs shall:

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

- 22 (A) For level I offenders, every twelve months;
- 23 (B) For level II offenders, every six months; and
- 24 (C) For level III offenders, every three months.

25 For the purposes of this subsection, unclassified offenders and
26 kidnapping offenders shall be considered at risk level I unless in the
27 opinion of the local jurisdiction a higher classification is in the
28 interest of public safety.

29 (b) Collect performance data from all participating jurisdictions
30 sufficient to evaluate the efficiency and effectiveness of the address
31 and residency verification program.

32 (c) Submit a report on the effectiveness of the address and
33 residency verification program to the governor and the appropriate
34 committees of the house of representatives and senate by September 1,
35 2009.

36 The Washington association of sheriffs and police chiefs may retain up
37 to three percent of the amount provided in this subsection for the cost
38 of administration. Any funds not disbursed for address and residency

1 verification or retained for administration may be allocated to local
2 prosecutors for the prosecution costs associated with failing to
3 register offenses.

4 (11) \$750,000 of the public safety and education fund--state
5 appropriation for fiscal year 2009 is provided solely for
6 implementation of Second Substitute House Bill No. 2712 (criminal
7 street gangs). If the bill is not enacted by June 30, 2008, the amount
8 provided in this subsection shall lapse.

9 (12) \$306,000 of the general fund--state appropriation for fiscal
10 year 2009 is provided solely for a grant program to pay for the costs
11 of local law enforcement agencies participating in specialized crisis
12 intervention training.

13 **Sec. 1117.** 2009 c 4 s 217 (uncodified) is amended to read as
14 follows:

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

16	General Fund--State Appropriation (FY 2008)	\$8,716,000
17	General Fund--State Appropriation (FY 2009)	(\$8,624,000)
18		<u>\$8,569,000</u>
19	General Fund--Federal Appropriation	\$100,000
20	Public Safety and Education Account--State	
21	Appropriation (FY 2008)	\$15,393,000
22	Public Safety and Education Account--State	
23	Appropriation (FY 2009)	\$16,525,000
24	Public Safety and Education Account--Federal	
25	Appropriation	\$10,000,000
26	Asbestos Account--State Appropriation	\$908,000
27	Electrical License Account--State Appropriation	\$41,104,000
28	Farm Labor Revolving Account--Private/Local	
29	Appropriation	\$28,000
30	Worker and Community Right-to-Know Account--State	
31	Appropriation	\$1,941,000
32	Public Works Administration Account--State	
33	Appropriation	\$3,948,000
34	Manufactured Home Installation Training Account--	
35	State Appropriation	\$192,000
36	Accident Account--State Appropriation	(\$232,295,000)
37		<u>\$232,617,000</u>

1	Accident Account--Federal Appropriation	\$13,622,000
2	Medical Aid Account--State Appropriation	(\$235,445,000)
3		<u>\$235,766,000</u>
4	Medical Aid Account--Federal Appropriation	\$3,186,000
5	Plumbing Certificate Account--State Appropriation	\$1,634,000
6	Pressure Systems Safety Account--State	
7	Appropriation	\$3,646,000
8	TOTAL APPROPRIATION	(\$597,307,000)
9		<u>\$597,895,000</u>

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

12 (1) \$2,413,000 of the medical aid account--state appropriation is
13 provided solely for conducting utilization reviews of physical and
14 occupational therapy cases at the 24th visit and the associated
15 administrative costs, including those of entering data into the
16 claimant's file. The department shall develop and report performance
17 measures and targets for these reviews to the office of financial
18 management. The reports are due September 30th for the prior fiscal
19 year and must include the amount spent and the estimated savings per
20 fiscal year.

21 (2) \$2,247,000 of the medical aid account--state appropriation is
22 provided solely to implement Engrossed Substitute Senate Bill No. 5920
23 (vocational rehabilitation). If the bill is not enacted by June 30,
24 2007, the amount provided in this subsection shall lapse.

25 (3) \$822,000 of the medical aid account--state appropriation is
26 provided solely for vocational services professional staff salary
27 adjustments necessary to recruit and retain positions required for
28 anticipated changes in work duties as a result of Engrossed Substitute
29 Senate Bill No. 5920 (vocational rehabilitation). If the bill is not
30 enacted by June 30, 2007, the amount provided in this subsection shall
31 lapse. Compensation for anticipated changes to work duties is subject
32 to review and approval by the director of the department of personnel
33 and is subject to collective bargaining.

34 (4) \$8,000,000 of the medical aid account--state appropriation is
35 provided solely to establish a program of safety and health as
36 authorized by RCW 49.17.210 to be administered under rules adopted
37 pursuant to chapter 34.05 RCW, provided that projects funded involve

1 workplaces insured by the medical aid fund, and that priority is given
2 to projects fostering accident prevention through cooperation between
3 employers and employees or their representatives.

4 (5) \$600,000 of the medical aid account--state appropriation is
5 provided solely for the department to contract with one or more
6 independent experts to evaluate and recommend improvements to the
7 rating plan under chapter 51.18 RCW, including analyzing how risks are
8 pooled, the effect of including worker premium contributions in
9 adjustment calculations, incentives for accident and illness
10 prevention, return-to-work practices, and other sound risk-management
11 strategies that are consistent with recognized insurance principles.

12 (6) \$181,000 of the accident account--state appropriation and
13 \$181,000 of the medical aid account--state appropriation are provided
14 solely to implement Substitute Senate Bill No. 5443 (workers'
15 compensation claims). If the bill is not enacted by June 30, 2007, the
16 amounts provided in this subsection shall lapse.

17 (7) \$558,000 of the medical aid account--state appropriation is
18 provided solely to implement Engrossed Substitute Senate Bill No. 5290
19 (workers' compensation advisory committees). If the bill is not
20 enacted by June 30, 2007, the amount provided in this subsection shall
21 lapse.

22 (8) \$104,000 of the public safety and education account--state
23 appropriation for fiscal year 2008, \$104,000 of the public safety and
24 education account--state appropriation for fiscal year 2009, \$361,000
25 of the accident account--state appropriation, and \$361,000 of the
26 medical aid account--state appropriation are provided solely for
27 implementation of Engrossed Substitute Senate Bill No. 5675 (workers'
28 compensation benefits). If the bill is not enacted by June 30, 2007,
29 the amounts provided in this subsection shall lapse.

30 (9) \$730,000 of the medical aid account--state appropriation is
31 provided solely for implementation of Engrossed Second Substitute
32 Senate Bill No. 5930 (blue ribbon commission). If the bill is not
33 enacted by June 30, 2007, the amount provided in this subsection shall
34 lapse.

35 (10) \$437,000 of the accident account--state appropriation and
36 \$437,000 of the medical aid account--state appropriation are provided
37 solely for implementation of Substitute Senate Bill No. 5053

1 (industrial insurance ombudsman). If the bill is not enacted by June
2 30, 2007, the amounts provided in this subsection shall lapse.

3 (11) \$74,000 of the accident account--state appropriation and
4 \$74,000 of the medical aid--state appropriation are provided solely for
5 implementation of Engrossed Substitute Senate Bill No. 5915 (notices to
6 employers). If the bill is not enacted by June 30, 2007, the amounts
7 provided in this subsection shall lapse.

8 (12) \$605,000 of the accident account--state appropriation for
9 fiscal year 2008 is provided solely for a study of the incidence of
10 permanent total disability pensions in the state's workers'
11 compensation system. To conduct the study, the department shall
12 contract with an independent researcher that has demonstrated expertise
13 in workers' compensation systems. When selecting the independent
14 researcher, the department shall consult the labor and business members
15 of the workers' compensation advisory committee and, if the labor and
16 business members of the workers' compensation advisory committee agree
17 on a particular independent researcher, the department shall select
18 that independent researcher. The study must consider causes of the
19 recent increase in permanent total disability cases, future anticipated
20 permanent total disability trends, a comparison of Washington's
21 permanent total disability claims experience and injured workers with
22 other states and jurisdictions, the impact of the standard for finding
23 workers employable on the incidence of permanent total disability
24 pensions, and the impact of vocational rehabilitation under RCW
25 51.32.095 on the incidence of permanent total disability pensions. The
26 department shall report to the workers' compensation advisory
27 committee, the house of representatives commerce and labor committee,
28 and the senate labor, commerce, research and development committee on
29 the results of the study on or before July 1, 2008.

30 (13) \$1,089,000 of the accident account--state appropriation and
31 \$192,000 of the medical aid account--state appropriation are provided
32 solely for implementation of chapter 27, Laws of 2007 (ESHB 2171, crane
33 safety).

34 (14) \$100,000 of the general fund--federal appropriation and
35 \$192,000 of the manufactured home installation training account--state
36 appropriation are provided solely for Substitute House Bill No. 2118
37 (mobile/manufactured homes). If the bill is not enacted by June 30,
38 2007, the amounts provided in this subsection shall lapse.

1 (15) \$107,000 of the accident account--state appropriation and
2 \$107,000 of the medical aid account--state appropriation are provided
3 solely to implement Senate Bill No. 6839 (workers' compensation
4 coverage). If the bill is not enacted by June 30, 2008, the amounts
5 provided in this subsection shall lapse.

6 (16) (~~(\$224,000)~~) \$169,000 of the general fund--state appropriation
7 for fiscal year 2009, \$741,000 of the accident account--state
8 appropriation, and \$741,000 of the medical aid account--state
9 appropriation are provided solely for implementation of Second
10 Substitute Senate Bill No. 6732 (construction industry). If the bill
11 is not enacted by June 30, 2008, the amount provided in this subsection
12 shall lapse.

13 (17) \$408,000 of the accident account--state appropriation and
14 \$72,000 of the medical aid account--state appropriation are provided
15 solely to implement Substitute House Bill No. 2602 (victims' employment
16 leave). If the bill is not enacted by June 30, 2008, the amounts
17 provided in this subsection shall lapse.

18 (18) \$3,000 of the public safety and education account--state
19 appropriation for fiscal year 2008 and \$3,000 of the public safety and
20 education account--state appropriation for fiscal year 2009 are
21 provided solely to implement Substitute Senate Bill No. 6246
22 (industrial insurance claims). If the bill is not enacted by June 30,
23 2008, the amounts provided in this subsection shall lapse.

24 (19) \$40,000 of the general fund--state appropriation for fiscal
25 year 2009 is provided solely for the department to conduct a review of
26 the need for regulation of general and specialty contractors involved
27 in the repair, alteration, or construction of single-family homes using
28 the public interest criteria set forth in RCW 18.118.010 and as
29 generally described in Second Substitute House Bill No. 3349
30 (residential contractors). By October 1, 2008, the department and the
31 department of licensing shall report their findings to the appropriate
32 committees of the legislature.

33 (20) (~~The department of labor and industries shall enter into an~~
34 ~~interagency agreement with the employment security department to expend~~
35 ~~funds from the family leave insurance account for the implementation of~~
36 ~~the family leave insurance program.~~

37 (+21)) Pursuant to RCW 43.135.055, the department is authorized to
38 increase the following fees as necessary to meet the actual costs of

1 conducting business and the appropriation levels in this section and by
2 not more than 5.53 percent in fiscal year 2008: Boiler inspection
3 permits and fees; boiler permit fees; plumbers' continuing education;
4 and plumbers' licensing and examination fees.

5 **Sec. 1118.** 2009 c 4 s 219 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

8 (1) HEADQUARTERS

9	General Fund--State Appropriation (FY 2008)	\$2,124,000
10	General Fund--State Appropriation (FY 2009)	\$1,926,000
11	Charitable, Educational, Penal, and Reformatory	
12	Institutions Account--State Appropriation	\$10,000
13	TOTAL APPROPRIATION	\$4,060,000

14 (2) FIELD SERVICES

15	General Fund--State Appropriation (FY 2008)	\$5,264,000
16	General Fund--State Appropriation (FY 2009)	\$5,476,000
17	General Fund--Federal Appropriation	(\$1,025,000)
18		<u>\$1,332,000</u>
19	General Fund--Private/Local Appropriation	(\$3,317,000)
20		<u>\$3,640,000</u>
21	Veterans Innovations Program Account Appropriation	\$1,437,000
22	Veteran Estate Management Account--Private/Local	
23	Appropriation	\$1,062,000
24	TOTAL APPROPRIATION	(\$17,581,000)
25		<u>\$18,211,000</u>

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

28 (a) \$440,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$560,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely to implement Second Substitute
31 Senate Bill No. 5164 (veterans' conservation corps). If the bill is
32 not enacted by June 30, 2007, the amounts provided in this subsection
33 shall lapse.

34 (b) The department shall not reduce field service contracts.

35 (3) INSTITUTIONAL SERVICES

36	General Fund--State Appropriation (FY 2008)	\$7,948,000
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1	General Fund--State Appropriation (FY 2009)	((\$5,484,000))
2		<u>\$4,833,000</u>
3	General Fund--Federal Appropriation	((\$43,120,000))
4		<u>\$43,207,000</u>
5	General Fund--Private/Local Appropriation	((\$31,569,000))
6		<u>\$32,241,000</u>
7	TOTAL APPROPRIATION	((\$88,121,000))
8		<u>\$88,229,000</u>

9 **Sec. 1119.** 2009 c 4 s 221 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF HEALTH**

12	General Fund--State Appropriation (FY 2008)	\$81,232,000
13	General Fund--State Appropriation (FY 2009)	((\$80,596,000))
14		<u>\$80,719,000</u>
15	General Fund--Federal Appropriation	\$477,065,000
16	General Fund--Private/Local Appropriation	((\$119,875,000))
17		<u>\$135,219,000</u>
18	Hospital Commission Account--State Appropriation	((\$144,000))
19		<u>\$215,000</u>
20	Health Professions Account--State Appropriation	((\$68,726,000))
21		<u>\$69,054,000</u>
22	Aquatic Lands Enhancement Account--State	
23	Appropriation	\$600,000
24	Emergency Medical Services and Trauma Care Systems	
25	Trust Account--State Appropriation	\$12,606,000
26	Safe Drinking Water Account--State Appropriation	\$3,041,000
27	Public Health Services Account--State Appropriation	\$1,000,000
28	Drinking Water Assistance Account--Federal	
29	Appropriation	\$19,027,000
30	Waterworks Operator Certification--State	
31	Appropriation	\$1,513,000
32	Drinking Water Assistance Administrative Account--	
33	State Appropriation	\$326,000
34	Water Quality Account--State Appropriation	
35	(FY 2008)	\$1,975,000
36	Water Quality Account--State Appropriation	
37	(FY 2009)	\$1,983,000

1	State Toxics Control Account--State Appropriation	\$3,460,000
2	Medical Test Site Licensure Account--State	
3	Appropriation	\$2,055,000
4	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
5	Public Health Supplemental Account--Private/Local	
6	Appropriation	\$3,918,000
7	Accident Account--State Appropriation	\$291,000
8	Medical Aid Account--State Appropriation	\$48,000
9	Health Services Account--State	
10	Appropriation (FY 2008)	\$42,122,000
11	Health Services Account--State	
12	Appropriation (FY 2009)	(\$49,729,000)
13		<u>\$46,398,000</u>
14	Tobacco Prevention and Control Account--State	
15	Appropriation	\$52,846,000
16	TOTAL APPROPRIATION	(\$1,025,690,000)
17		<u>\$1,038,225,000</u>

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

20 (1) The department is authorized to raise existing fees charged for
21 its fee-supported programs in excess of the fiscal growth factor
22 pursuant to RCW 43.135.055, if necessary, to meet the actual costs of
23 conducting business and the appropriation levels in this section.
24 Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is further
25 authorized to increase fees in its fee-supported programs as necessary
26 to meet the actual costs of conducting business and the appropriation
27 levels in this section, as specifically authorized in LEAP Document
28 DOH-2008, as developed by the legislative evaluation and accountability
29 program on March 11, 2008.

30 (2) The department of health shall not initiate any services that
31 will require expenditure of state general fund moneys unless expressly
32 authorized in this act or other law. The department may seek, receive,
33 and spend, under RCW 43.79.260 through 43.79.282, federal moneys not
34 anticipated in this act as long as the federal funding does not require
35 expenditure of state moneys for the program in excess of amounts
36 anticipated in this act. If the department receives unanticipated
37 unrestricted federal moneys, those moneys shall be spent for services
38 authorized in this act or in any other legislation that provides

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

8 (3) \$877,000 of the health professions account appropriation is
9 provided solely for implementation of Substitute House Bill No. 1099
10 (dental professions). If the bill is not enacted by June 30, 2007, the
11 amount provided in this subsection shall lapse.

12 (4) \$198,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$24,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for the implementation of
15 Substitute House Bill No. 2304 (cardiac care services). If the bill is
16 not enacted by June 30, 2007, the amounts provided in this subsection
17 shall lapse.

18 (5) \$138,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$220,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for an evaluation of chronic care
21 provider training.

22 (6) \$51,000 of the general fund--state appropriation for fiscal
23 year 2008 and \$24,000 of the general fund--state appropriation for
24 fiscal year 2009 are provided solely for the implementation of
25 Engrossed Substitute Senate Bill No. 5297 (sex education). If the bill
26 is not enacted by June 30, 2007, the amounts provided in this
27 subsection shall lapse.

28 (7) \$103,000 of the general fund--state appropriation for fiscal
29 year 2008 is provided solely for the implementation of Substitute House
30 Bill No. 1837 (nonambulatory persons). If the bill is not enacted by
31 June 30, 2007, the amount provided in this subsection shall lapse.

32 (8) \$201,000 of the general fund--private/local appropriation is
33 provided solely for the implementation of Substitute House Bill No.
34 2087 (health care facilities). If the bill is not enacted by June 30,
35 2007, the amount provided in this subsection shall lapse.

36 (9) \$293,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$287,000 of the general fund--state appropriation for
38 fiscal year 2009 are provided solely for public service announcements

1 regarding childhood lead poisoning, information pamphlets, rule
2 development, and for early identification of persons at risk of having
3 elevated blood-lead levels, which includes systematically screening
4 children under six years of age and other target populations identified
5 by the department. Priority will be given to testing children and
6 increasing the registry in the lead surveillance program.

7 (10) \$101,000 of the general fund--state appropriation for fiscal
8 year 2008, \$81,000 of the general fund--state appropriation for fiscal
9 year 2009, and \$6,000 of the general fund--private/local appropriation
10 are provided solely for the implementation of Engrossed Second
11 Substitute House Bill No. 1414 (ambulatory surgical facilities). If
12 the bill is not enacted by June 30, 2007, the amounts provided in this
13 subsection shall lapse.

14 (11) \$55,000 of the health professions account appropriation is
15 provided solely for the implementation of Substitute House Bill No.
16 1397 (massage therapy). If the bill is not enacted by June 30, 2007,
17 the amount provided in this subsection shall lapse.

18 (12) \$58,000 of the general fund--private/local appropriation is
19 provided solely for the implementation of Senate Bill No. 5398
20 (specialty hospitals). If the bill is not enacted by June 30, 2007,
21 the amount provided in this subsection shall lapse.

22 (13) \$34,000 of the general fund--state appropriation for fiscal
23 year 2008, \$44,000 of the general fund--state appropriation for fiscal
24 year 2009, and \$224,000 of the oyster reserve land account--state
25 appropriation are provided solely for the implementation of Engrossed
26 Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill
27 is not enacted by June 30, 2007, the amounts provided in this
28 subsection shall lapse.

29 (14) \$571,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$458,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for the implementation of Second
32 Substitute House Bill No. 1106 (hospital acquired infections). If the
33 bill is not enacted by June 30, 2007, the amounts provided in this
34 subsection shall lapse.

35 (15) \$4,000,000 of the general fund--state appropriation for fiscal
36 year 2008, \$5,000,000 of the general fund--state appropriation for
37 fiscal year 2009, and \$1,000,000 of the public health services
38 account--state appropriation are provided solely for department of

1 health-funded family planning clinics to increase the capacity of the
2 clinics to provide family planning and reproductive health services to
3 low-income men and women who are not otherwise eligible for services
4 through the department of social and health services medical assistance
5 program and for clinical or other health services associated with
6 sexually transmitted disease testing through the infertility prevention
7 project. Funds appropriated and expended under this subsection for
8 fiscal year 2009 shall be distributed in a manner that allocates
9 funding to department of health-funded family planning clinics based
10 upon the percentage of medical assistance family planning waiver
11 clients in calendar year 2005 who received services from a provider
12 located in the geographic area served by the department of
13 health-funded clinic. Of these amounts, the department is authorized
14 to expend up to \$1,000,000 of its general fund--state appropriation for
15 fiscal year 2009 for services provided in fiscal year 2008, if
16 necessary, to offset reductions in federal funding.

17 (16) \$1,000,000 of the general fund--state appropriation for fiscal
18 year 2008 is for one-time funding to purchase and store antiviral
19 medications to be used in accordance with the state pandemic influenza
20 response plan. These drugs are to be purchased through the United
21 States department of health and human services to take advantage of
22 federal subsidies.

23 (17) \$147,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$32,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the department of health to
26 provide relevant information on measures taken to facilitate expanded
27 use of reclaimed water pursuant to Engrossed Second Substitute Senate
28 Bill No. 6117 (reclaimed water). If the bill is not enacted by June
29 30, 2007, the amounts provided in this subsection shall lapse.

30 (18) \$550,000 of the general fund--state appropriation for fiscal
31 year 2008 and \$550,000 of the general fund--state appropriation for
32 fiscal year 2009 are provided solely for the lifelong AIDS alliance to
33 restore lost federal funding.

34 (19) \$250,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$250,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely for medical nutritional therapy
37 for people with HIV/AIDS and other low-income residents in King county
38 with chronic illnesses.

1 (20) \$645,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$645,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the neurodevelopmental center
4 system, which provides therapy and medical services for young, low-
5 income children with developmental disabilities.

6 (21) \$100,000 of the general fund--state appropriation for fiscal
7 year 2008 is provided solely to continue the autism task force
8 established by chapter 259, Laws of 2005, through June 30, 2008. The
9 task force shall:

10 (a) Review and continue to refine criteria for regional autism
11 centers throughout Washington state based on community needs in each
12 area, and address the role of autism centers within the larger context
13 of developmental disabilities;

14 (b) Prioritize its December 2006 recommendations and develop an
15 implementation plan for the highest priorities. The plan should detail
16 how systems will coordinate to improve service and avoid duplication
17 between state agencies including the department of social and health
18 services, department of health, office of superintendent of public
19 instruction, as well as school districts, autism centers, and local
20 partners and providers. The plan shall also estimate the costs of the
21 highest priority recommendations and report to the legislature and
22 governor by December 1, 2007;

23 (c) Compile information for and draft the "Washington Service
24 Guidelines for Individuals with Autism - Birth Through Lifespan" book
25 described in the task force's recommendations. Funding to print and
26 distribute the book is expected to come from federal or private
27 sources; and

28 (d) Monitor the federal combating autism act and its funding
29 availability and make recommendations on applying for grants to assist
30 in implementation of the 2006 task force recommendations. The
31 department of health shall be the lead agency in providing staff for
32 the task force. The department may seek additional staff assistance
33 from the office of the superintendent of public instruction and the
34 committee staff of the legislature. Nonlegislative members, except
35 those representing an employer or organization, are entitled to be
36 reimbursed for travel expenses.

37 (22) \$200,000 of the general fund--state appropriation for fiscal

1 year 2008 and \$200,000 of the general fund--state appropriation for
2 fiscal year 2009 are provided solely for implementation of the
3 Washington state hepatitis C strategic plan.

4 (23) \$142,000 of the health professions account appropriation is
5 provided solely for the implementation of Engrossed Substitute Senate
6 Bill No. 5403 (animal massage practitioners). If the bill is not
7 enacted by June 30, 2007, the amount provided in this subsection shall
8 lapse.

9 (24) \$174,000 of the health professions account appropriation is
10 provided solely for the implementation of Substitute Senate Bill No.
11 5503 (athletic trainers). If the bill is not enacted by June 30, 2007,
12 the amount provided in this subsection shall lapse.

13 (25) \$75,000 of the health professions account appropriation is
14 provided solely for the implementation of Engrossed Substitute Senate
15 Bill No. 5292 (physical therapist assistants). If the bill is not
16 enacted by June 30, 2007, the amount provided in this subsection shall
17 lapse.

18 (26) \$94,000 of the general fund--state appropriation for fiscal
19 year 2008 is provided solely to implement Engrossed Second Substitute
20 Senate Bill No. 6032 (medical use of marijuana). If the bill is not
21 enacted by June 30, 2007, the amount provided in this subsection shall
22 lapse.

23 (27) \$386,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$384,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the implementation of
26 Engrossed Substitute Senate Bill No. 5894 (large on-site sewage
27 systems). If the bill is not enacted by June 30, 2007, the amounts
28 provided in this subsection shall lapse.

29 (28) \$1,721,000 of the health professions account appropriation is
30 provided solely for the implementation of sections 11 and 12 (medical
31 information) of Engrossed Second Substitute Senate Bill No. 5930 (blue
32 ribbon commission on health care). If the sections are not enacted by
33 June 30, 2007, the amount provided in this subsection shall lapse.

34 (29) \$10,000,000 of the health services account--state
35 appropriation for fiscal year 2008 and \$10,000,000 of the health
36 services account--state appropriation for fiscal year 2009 are provided
37 solely for distribution to local health jurisdictions and for the costs

1 of administering the public health related sections of Engrossed Second
2 Substitute Senate Bill No. 5930 (blue ribbon commission on health
3 care), subject to the following conditions and limitations:

4 (a) During the month of January 2008, and January 2009, the
5 department of health shall distribute funds appropriated in this
6 section to local health jurisdictions, less an amount not to exceed
7 five percent for the costs of administering the public health related
8 sections of Engrossed Second Substitute Senate Bill No. 5930 (blue
9 ribbon commission on health care). The amount of funding for
10 distribution to a jurisdiction before the administrative deduction
11 shall be the greater of: (i) One hundred thousand dollars; or (ii) (A)
12 a base level of funding of seventy-five thousand dollars plus the per
13 capita amount, for a jurisdiction with a population of four hundred
14 thousand persons or fewer; or (B) a base level of funding of twenty-
15 five thousand dollars plus the per capita amount, for a jurisdiction
16 with a population greater than four hundred thousand persons. Amounts
17 distributed under this subsection must be used to fund core public
18 health functions of statewide significance as defined in Engrossed
19 Second Substitute Senate Bill No. 5930 (blue ribbon commission on
20 health care).

21 (b) For the purposes of this subsection:

22 (i) "Per capita amount" means an amount equal to seven million five
23 hundred thousand dollars multiplied by the proportion of the population
24 of the jurisdiction in the previous calendar year to the population of
25 the state in the previous calendar year.

26 (ii) "Population" means the number of persons as last determined by
27 the office of financial management. If the jurisdiction comprises a
28 single county, "population" means the number of persons in the county.
29 For a jurisdiction comprising two or more counties, "population" means
30 the number of persons in all counties comprising the jurisdiction.

31 (iii) "Local health jurisdiction" or "jurisdiction" means a county
32 board of health organized under chapter 70.05 RCW, a health district
33 organized under chapter 70.46 RCW, or a combined city and county health
34 department organized under chapter 70.08 RCW.

35 (c) The department may adopt rules necessary to administer this
36 subsection.

37 (30) \$15,000 of the general fund--state appropriation for fiscal
38 year 2008 and \$35,000 of the health professions account--state

1 appropriation are provided solely for an evaluation of the economic
2 benefits to the state's health care system of the midwifery licensure
3 and regulatory program under chapter 18.50 RCW. In particular, the
4 department shall contract with a consultant to conduct a review of
5 existing research literature on whether these economic benefits exceed
6 the state expenditures to subsidize the cost of the midwifery licensing
7 and regulatory program under RCW 43.70.250. The evaluation shall
8 include an assessment of the economic benefits to consumers who elect
9 to have out-of-hospital births with midwives, including any reduced use
10 of procedures that increase the costs of childbirth. The department
11 shall submit the report to the appropriate policy and fiscal committees
12 of the legislature by January 1, 2008.

13 (31) \$147,000 of the health professions account--state
14 appropriation is provided solely for the department of health to
15 convene a work group to develop recommendations regarding the need to
16 regulate those individuals currently registered with the department of
17 health as counselors. The department of health shall submit
18 recommendations of the work group to the legislature and governor by
19 November 15, 2007. Based on the recommendations of the work group, the
20 department of health shall draft credentialing guidelines for all
21 registered counselors by January 1, 2008. Guidelines shall include
22 education in risk assessment, ethics, professional standards, and
23 deadlines for compliance.

24 (32) \$100,000 of the general fund--state appropriation for fiscal
25 year 2009 is provided solely for the implementation of Second
26 Substitute Senate Bill No. 6483 (local food production). If the bill
27 is not enacted by June 30, 2008, the amount provided in this subsection
28 shall lapse.

29 (33) \$400,000 of the general fund--state appropriation for fiscal
30 year 2009 is provided solely for the senior falls prevention pilot
31 program, pursuant to section 7 of Engrossed Second Substitute House
32 Bill No. 2668 (long-term care programs).

33 (34) \$585,000 of the general fund--state appropriation for fiscal
34 year 2009 is provided solely for the Washington state breast and
35 cervical health program to increase the provider reimbursement rate for
36 digital mammographies to the medicare equivalent rate.

37 (35) \$100,000 of the general fund--state appropriation for fiscal

1 year 2009 is provided solely for the child death review program. The
2 program shall be transferred from the community and family health
3 division to the injury prevention division within the department.

4 (36) \$100,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely for the northwest sickle cell
6 collaborative program.

7 (37) \$77,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$154,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for the restoration of
10 maxillofacial/cleft palate teams in Yakima, Spokane, Seattle, and
11 Tacoma.

12 (38) \$17,000 of the health professions account--state appropriation
13 is provided solely to implement Second Substitute Senate Bill No. 6220
14 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute
15 House Bill No. 2668 (long-term care programs). If neither bill is
16 enacted by June 30, 2008, the amount provided in this subsection shall
17 lapse.

18 (39) \$11,000 of the health professions account--state appropriation
19 is provided solely to implement Substitute Senate Bill No. 6439
20 (radiologist assistants). If the bill is not enacted by June 30, 2008,
21 the amount provided in this subsection shall lapse.

22 (40) \$115,000 of the general fund--state appropriation for fiscal
23 year 2009 and \$4,261,000 of the health professions account--state
24 appropriation are provided solely for implementation of Fourth
25 Substitute House Bill No. 1103 (health professions). If the bill is
26 not enacted by June 30, 2008, the amounts provided in this subsection
27 shall lapse.

28 (41) \$558,000 of the health professions account--state
29 appropriation is provided solely for implementation of Second
30 Substitute House Bill No. 2674 (counselor credentialing). If the bill
31 is not enacted by June 30, 2008, the amount provided in this subsection
32 shall lapse.

33 (42) The department of licensing and the department of health shall
34 jointly review and report to the appropriate policy committees of the
35 legislature by December 1, 2008, recommendations for implementing a
36 process of holding in abeyance for up to six months following the
37 conclusion of active duty service the expiration of, and currency

1 requirements for, professional licenses and certificates for
2 individuals who have been called to active duty military service.

3 (43) The higher education coordinating board, the department of
4 licensing, and the department of health shall jointly review and report
5 to appropriate policy committees of the legislature by December 1,
6 2008, on barriers and opportunities for increasing the extent to which
7 veterans separating from duty are able to apply skills sets and
8 education required while in service to certification, licensure, and
9 degree requirements.

10 (44) \$35,000 of the general fund--state appropriation for fiscal
11 year 2009 and \$80,000 of the state toxics control account--state
12 appropriation for fiscal year 2009 are provided solely for the
13 implementation of Engrossed Second Substitute House Bill No. 2647
14 (children's safe products). If the bill is not enacted by June 30,
15 2008, the amounts provided in this subsection shall lapse.

16 (45) \$143,000 of the general fund--state appropriation for fiscal
17 year 2009 is provided solely for Substitute Senate Bill No. 6340 (water
18 system program). If the bill is not enacted by June 30, 2008, the
19 amount provided in this subsection shall lapse.

20 (46) \$194,000 of the general fund--state appropriation for fiscal
21 year 2009 is provided solely for Engrossed Second Substitute House Bill
22 No. 2549 (patient-centered care). If the bill is not enacted by June
23 30, 2008, the amount provided in this subsection shall lapse.

24 (47) \$96,000 of the health professions account--state appropriation
25 is provided solely for the implementation of Substitute House Bill No.
26 2881 (practice of dentistry). If the bill is not enacted by June 30,
27 2008, the amount provided in this subsection shall lapse.

28 (48) \$130,000 of the general fund--state appropriation for fiscal
29 year 2009 is provided solely for the midwifery licensure and regulatory
30 program to offset a reduction in revenue from fees. There shall be no
31 change to the current annual fees for new or renewed licenses for the
32 midwifery program. The department shall convene the midwifery advisory
33 committee on a quarterly basis to address issues related to licensed
34 midwifery.

35 (49) \$900,000 of the general fund--state appropriation for fiscal
36 year 2009 is provided solely for the Washington colon health program.
37 Through the program, the department shall provide grants to

1 participating counties to provide free colorectal screening exams to
2 individuals fifty to sixty-four years old who are below two hundred
3 fifty percent of the federal poverty level.

4 (50) In addition to other reductions, the reduced appropriations in
5 this section reflect an additional \$90,000 reduction in administrative
6 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
7 state government administrative costs). These administrative
8 reductions shall be achieved, to the greatest extent possible, by
9 reducing those administrative costs that do not affect direct client
10 services or direct service delivery or programs.

11 **Sec. 1120.** 2008 c 329 s 223 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF CORRECTIONS.** (~~((1))~~) The appropriations to
14 the department of corrections in this act shall be expended for the
15 programs and in the amounts specified herein. However, after May 1,
16 (~~((2008))~~) 2009, after approval by the director of financial management
17 and unless specifically prohibited by this act, the department may
18 transfer general fund--state appropriations for fiscal year (~~((2008))~~)
19 2009 between programs. The department shall not transfer funds, and
20 the director of financial management shall not approve the transfer,
21 unless the transfer is consistent with the objective of conserving, to
22 the maximum extent possible, the expenditure of state funds and not
23 federal funds. The director of financial management shall notify the
24 appropriate fiscal committees of the senate and house of
25 representatives in writing seven days prior to approving any deviations
26 from appropriation levels. The written notification shall include a
27 narrative explanation and justification of the changes(~~(, along with~~
28 ~~expenditures and allotments by budget unit and appropriation, both~~
29 ~~before and after any allotment modifications or transfers.~~

30 ~~(2) The department may transfer up to \$15,000,000 of the general~~
31 ~~fund--state appropriation for fiscal year 2009 into fiscal year 2008,~~
32 ~~if deemed necessary by the department and approved in advance by the~~
33 ~~director of financial management. The director of financial management~~
34 ~~shall notify the fiscal committees of the legislature in writing seven~~
35 ~~days prior to approving a transfer under this subsection. The written~~
36 ~~notification shall include a narrative explanation and justification of~~

1 the transfer including allotment detail by program, budget object, and
2 budget unit for both fiscal years, both before and after any
3 transfers)).

4 **Sec. 1121.** 2009 c 4 s 222 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF CORRECTIONS**

7 (1) ADMINISTRATION AND SUPPORT SERVICES

8 General Fund--State Appropriation (FY 2008) \$57,545,000

9 General Fund--State Appropriation (FY 2009) (~~(\$52,652,000)~~)

10 \$52,320,000

11 Washington Auto Theft Prevention Authority Account--

12 State Appropriation \$169,000

13 Violence Reduction and Drug Enforcement

14 Account--State Appropriation (FY 2008) \$13,000

15 Violence Reduction and Drug Enforcement

16 Account--State Appropriation (FY 2009) \$13,000

17 Public Safety and Education Account--State

18 Appropriation (FY 2008) \$1,467,000

19 Public Safety and Education Account--State

20 Appropriation (FY 2009) \$1,481,000

21 Pension Funding Stabilization Account--State

22 Appropriation \$1,280,000

23 TOTAL APPROPRIATION (~~(\$114,620,000)~~)

24 \$114,288,000

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

27 (a) \$9,389,000 of the general fund--state appropriation for fiscal
28 year 2008 is provided solely for the completion of phase three of the
29 department's offender-based tracking system replacement project. This
30 amount is conditioned on the department satisfying the requirements of
31 section 902 of this act.

32 (b) \$35,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$35,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely for the establishment and support
35 of a statewide council on mentally ill offenders that includes as its
36 members representatives of community-based mental health treatment
37 programs, current or former judicial officers, and directors and

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

7 (c) \$169,000 of the Washington auto theft prevention authority
8 account--state appropriation for fiscal year 2008 is provided solely
9 for the implementation of Engrossed Third Substitute House Bill No.
10 1001 (auto theft). If the bill is not enacted by June 30, 2007, the
11 amount provided in this subsection shall lapse.

12 (d) \$102,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$95,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for the implementation of
15 Engrossed Second Substitute House Bill No. 1422 (incarcerated parents).
16 If the bill is not enacted by June 30, 2007, the amounts provided in
17 this subsection shall lapse.

18 (e) Within funds appropriated in this section, the department shall
19 seek contracts for chemical dependency vendors to provide chemical
20 dependency treatment of offenders in corrections facilities, including
21 corrections centers and community supervision facilities, which have
22 demonstrated effectiveness in treatment of offenders and are able to
23 provide data to show a successful treatment rate.

24 (f) \$314,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$294,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for four additional staff to
27 collect and analyze data for programs funded through the offender
28 reentry initiative and collect, analyze, and disseminate information
29 required by the GMAP process, performance audits, data requests, and
30 quality assessments and assurances.

31 (g) \$32,000 of the general fund--state appropriation for fiscal
32 year 2009 is provided solely for implementation of Substitute Senate
33 Bill No. 6244 (conversion of facilities to house violators of community
34 supervision). If the bill is not enacted by June 30, 2008, the amount
35 provided in this subsection shall lapse.

36 (h) \$150,000 of the general fund--state appropriation for fiscal
37 year 2009 is provided solely to implement Engrossed Second Substitute

1 House Bill No. 2712 (criminal street gangs). If the bill is not
2 enacted by June 30, 2008, the amount provided in this subsection shall
3 lapse.

4 (2) CORRECTIONAL OPERATIONS

5	General Fund--State Appropriation (FY 2008)	((\$601,402,000))
6		<u>\$616,402,000</u>
7	General Fund--State Appropriation (FY 2009)	((\$647,608,000))
8		<u>\$655,534,000</u>
9	General Fund--Federal Appropriation	((\$4,157,000))
10		<u>\$3,941,000</u>
11	Public Safety and Education Account--State	
12	Appropriation (FY 2008)	\$1,050,000
13	Public Safety and Education Account--State	
14	Appropriation (FY 2009)	\$1,350,000
15	Washington Auto Theft Prevention Authority Account--	
16	State Appropriation	\$1,338,000
17	Violence Reduction and Drug Enforcement	
18	Account--State Appropriation (FY 2008)	\$1,492,000
19	Violence Reduction and Drug Enforcement	
20	Account--State Appropriation (FY 2009)	\$1,492,000
21	Pension Funding Stabilization Account--State	
22	Appropriation	\$11,800,000
23	TOTAL APPROPRIATION	((\$1,271,689,000))
24		<u>\$1,294,399,000</u>

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

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

33 (b) The department shall provide funding for the pet partnership
34 program at the Washington corrections center for women at a level at
35 least equal to that provided in the 1995-97 biennium.

36 (c) The department shall accomplish personnel reductions with the
37 least possible impact on correctional custody staff, community custody

1 staff, and correctional industries. For the purposes of this
2 subsection, correctional custody staff means employees responsible for
3 the direct supervision of offenders.

4 (d) During the 2007-09 biennium, when contracts are established or
5 renewed for offender pay phone and other telephone services provided to
6 inmates, the department shall select the contractor or contractors
7 primarily based on the following factors: (i) The lowest rate charged
8 to both the inmate and the person paying for the telephone call; and
9 (ii) the lowest commission rates paid to the department, while
10 providing reasonable compensation to cover the costs of the department
11 to provide the telephone services to inmates and provide sufficient
12 revenues for the activities funded from the institutional welfare
13 betterment account.

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

19 (f) \$358,000 of the Washington auto theft prevention authority
20 account--state appropriation for fiscal year 2008 and \$980,000 of the
21 Washington auto theft prevention authority account--state appropriation
22 for fiscal year 2009 are provided solely for the implementation of
23 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the
24 bill is not enacted by June 30, 2007, the amounts provided in this
25 subsection shall lapse.

26 (g) \$22,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$22,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for the implementation of
29 Substitute House Bill No. 1097 (vulnerable adults). If the bill is not
30 enacted by June 30, 2007, the amounts provided in this subsection shall
31 lapse.

32 (h) \$22,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$22,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely for the implementation of
35 Substitute House Bill No. 1319 (correctional agency employee). If the
36 bill is not enacted by June 30, 2007, the amounts provided in this
37 subsection shall lapse.

1 (i) \$87,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$87,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the implementation of House
4 Bill No. 1592 (sentence review board). If the bill is not enacted by
5 June 30, 2007, the amounts provided in this subsection shall lapse.

6 (j) \$544,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$496,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided solely for development of individual
9 reentry plans to prepare offenders for release into the community as
10 generally described in Engrossed Substitute Senate Bill No. 6157
11 (offender recidivism). Individual reentry plans shall be based on an
12 assessment of the offender using a standardized and comprehensive tool.
13 The individual reentry plan may be one document, or may be a series of
14 individual plans that combine to meet the requirements. The individual
15 reentry plan shall, at a minimum, include:

16 (i) A plan to maintain contact with the inmate's children and
17 family, if appropriate. The plan should determine whether parenting
18 classes, or other services, are appropriate;

19 (ii) A description of the offender's education, certifications,
20 work experience, skills, and training; and

21 (iii) A plan for the offender during the period of incarceration
22 through reentry into the community that addresses the needs of the
23 offender including education, employment, substance abuse treatment,
24 mental health treatment, and family reunification. The individual
25 reentry plan shall be updated as appropriate during the period of
26 incarceration, and prior to the inmate's release to address public
27 safety concerns, consistency with the offender risk management level
28 assigned by the department, housing, and connecting with a community
29 justice center in the area in which the offender will be residing, if
30 a community justice center is located in that area.

31 (iv) If the appropriation in this subsection is not sufficient for
32 this program, the department shall prioritize the use of available
33 funds.

34 (3) COMMUNITY SUPERVISION

35	General Fund--State Appropriation (FY 2008)	\$133,157,000
36	General Fund--State Appropriation (FY 2009)	(\$145,881,000)
37		<u>\$146,344,000</u>
38	General Fund--Federal Appropriation	\$416,000

1	Public Safety and Education Account--State	
2	Appropriation (FY 2008)	\$9,319,000
3	Public Safety and Education Account--State	
4	Appropriation (FY 2009)	\$9,370,000
5	Pension Funding Stabilization Account--State	
6	Appropriation	\$2,800,000
7	TOTAL APPROPRIATION	(\$300,943,000)
8		<u>\$301,406,000</u>

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

11 (a) The department shall accomplish personnel reductions with the
12 least possible impact on correctional custody staff, community custody
13 staff, and correctional industries. For the purposes of this
14 subsection, correctional custody staff means employees responsible for
15 the direct supervision of offenders.

16 (b) For the acquisition of properties and facilities, the
17 department of corrections is authorized to enter into financial
18 contracts, paid for from operating resources, for the purposes
19 indicated and in not more than the principal amounts indicated, plus
20 financing expenses and required reserves pursuant to chapter 39.94 RCW.
21 This authority applies to the following: Lease-develop with the option
22 to purchase or lease-purchase work release beds in facilities
23 throughout the state for \$8,561,000.

24 (c) \$1,167,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$2,295,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for the establishment and
27 operation of community justice centers by the department as generally
28 described in Engrossed Substitute Senate Bill No. 6157 (offender
29 recidivism). At a minimum, a community justice center shall include:

30 (i) A violator program to allow the department to utilize a range
31 of available sanctions for offenders who violate conditions of their
32 supervision;

33 (ii) An employment opportunity program to assist an offender in
34 finding employment;

35 (iii) On-site services or resources for connecting offenders with
36 services such as mental health and substance abuse treatment,
37 transportation, training, family reunification, and community services;
38 and

1 (iv) The services of a transition coordinator to facilitate
2 connections between the former offender and the community. The
3 transition coordinator shall provide information to former offenders
4 regarding services available to them in the community including, but
5 not limited to housing assistance, employment assistance, education,
6 vocational training, parent education, financial literacy, treatment
7 for substance abuse, mental health, anger management, and shall assist
8 offenders in their efforts to access needed services.

9 (v) If the appropriation in this subsection is not sufficient for
10 this program, the department shall prioritize the use of available
11 funds.

12 (4) CORRECTIONAL INDUSTRIES

13 General Fund--State Appropriation (FY 2008) \$1,001,000
14 General Fund--State Appropriation (FY 2009) \$2,357,000
15 TOTAL APPROPRIATION \$3,358,000

16 The appropriations in this subsection are subject to the following
17 conditions and limitations: \$124,000 of the general fund--state
18 appropriation for fiscal year 2008 and \$132,000 of the general fund--
19 state appropriation for fiscal year 2009 are provided solely for
20 transfer to the jail industries board. The board shall use the amounts
21 provided only for administrative expenses, equipment purchases, and
22 technical assistance associated with advising cities and counties in
23 developing, promoting, and implementing consistent, safe, and efficient
24 offender work programs.

25 (5) INTERAGENCY PAYMENTS

26 General Fund--State Appropriation (FY 2008) \$35,036,000
27 General Fund--State Appropriation (FY 2009) (~~(\$28,082,000)~~)
28 \$29,043,000
29 TOTAL APPROPRIATION (~~(\$63,118,000)~~)
30 \$64,079,000

31 The appropriations in this subsection are subject to the following
32 conditions and limitations: \$35,000 of the general fund--state
33 appropriation for fiscal year 2008 is provided solely for expenditures
34 related to the *Farrakhan v. Locke* litigation.

35 **Sec. 1122.** 2009 c 4 s 223 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

2	General Fund--State Appropriation (FY 2008)	\$2,566,000
3	General Fund--State Appropriation (FY 2009)	\$2,375,000
4	General Fund--Federal Appropriation	((\$17,584,000))
5		<u>\$18,757,000</u>
6	General Fund--Private/Local Appropriation	\$20,000
7	TOTAL APPROPRIATION	((\$22,545,000))
8		<u>\$23,718,000</u>

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

11 (1) \$4,000 of the general fund--state appropriation for fiscal year
12 2008 and \$4,000 of the general fund--state appropriation for fiscal
13 year 2009 are provided solely for an adjustment to the agency lease
14 rate for space occupied and parking in the Tacoma Rhodes center. The
15 department of general administration shall increase lease rates to meet
16 the cash gain/loss break-even point for the Tacoma Rhodes center
17 effective July 1, 2007.

18 (2) The department shall not reduce and shall continue to provide
19 funding for contracted services that provide employment support and
20 help with life activities for deaf and blind individuals in King
21 county.

22 **Sec. 1123.** 2009 c 4 s 225 (uncodified) is amended to read as
23 follows:

24 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

25	General Fund--State Appropriation (FY 2008)	\$60,000
26	General Fund--State Appropriation (FY 2009)	\$272,000
27	General Fund--Federal Appropriation	\$264,967,000
28	General Fund--Private/Local Appropriation	\$33,578,000
29	Unemployment Compensation Administration Account--	
30	Federal Appropriation	\$252,907,000
31	Administrative Contingency Account--State	
32	Appropriation	\$22,802,000
33	Employment Service Administrative Account--State	
34	Appropriation	\$33,843,000
35	Family Leave Insurance Account--State Appropriation	\$1,764,000
36	TOTAL APPROPRIATION	\$610,193,000

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

3 (1) \$4,578,000 of the unemployment compensation administration
4 account--federal appropriation is provided from funds made available to
5 the state by section 903(d) of the social security act (Reed Act).
6 These funds are authorized to provide direct services to unemployment
7 insurance claimants and providing job search review.

8 (2) \$2,300,000 of the unemployment compensation administration
9 account--federal appropriation is provided from amounts made available
10 to the state by section 903(d) of the social security act (Reed Act).
11 This amount is authorized to continue implementation of chapter 4, Laws
12 of 2003 2nd sp. sess. and for implementation costs relating to chapter
13 133, Laws of 2005 (unemployment insurance).

14 (3) \$23,162,000 of the unemployment compensation administration
15 account--federal appropriation is provided from amounts made available
16 to the state by section 903(d) of the social security act (Reed Act).
17 This amount is authorized to continue current unemployment insurance
18 functions and department services to employers and job seekers.

19 (4) \$372,000 of the administrative contingency account--state
20 appropriation is provided solely to implement Substitute Senate Bill
21 No. 5653 (self-employment). If the bill is not enacted by June 30,
22 2007, the amount provided in this subsection shall lapse.

23 (5) \$12,054,000 of the unemployment compensation administration
24 account--federal appropriation is provided from amounts made available
25 to the state by section 903(d) of the social security act (Reed act).
26 This amount is authorized to fund the unemployment insurance tax
27 information system (TAXIS) technology initiative for the employment
28 security department.

29 (6) \$430,000 of the unemployment compensation administration
30 account--federal appropriation is provided from amounts made available
31 to the state by section 903(d) of the social security act (Reed act).
32 This amount is authorized to replace high-risk servers used by the
33 unemployment security department.

34 (7) \$503,000 of the unemployment compensation administration
35 account--federal appropriation is provided from amounts made available
36 to the state by section 903(d) of the social security act (Reed act).
37 This amount is authorized to provide a system to track computer
38 upgrades and changes for the unemployment security department.

1 (8) \$183,000 of the unemployment compensation administration
2 account--federal appropriation is provided from the amounts made
3 available to the state by section 903(d) of the social security act
4 (Reed Act). This amount is authorized to conduct a feasibility study
5 to integrate job search data systems.

6 (9) \$2,331,000 of the unemployment compensation administration
7 account--federal appropriation is provided from amounts made available
8 to the state by section 903(d) of the social security act (Reed Act).
9 This amount is authorized for hardware and software to ensure the
10 ongoing, reliable operation of the telecenters.

11 (10) \$488,000 of the unemployment compensation administration
12 account--federal appropriation is provided from amounts made available
13 to the state by section 903(d) of the social security act (Reed Act).
14 This amount is authorized for the relocation of the WorkSource office
15 in Lakewood.

16 (11) \$1,764,000 of the family leave insurance account--state
17 appropriation is provided solely for implementation of the family leave
18 insurance program.

19 ~~((a) The amount provided in this subsection assumes that, in
20 developing the information technology systems to support the payment of
21 benefits, the department will incorporate the claim filing and benefit
22 payment efficiencies recommended by the joint legislative task force on
23 family leave insurance in Part III of its final report dated January
24 23, 2008, including:~~

25 ~~(i) Eliminating the option for awarding attorney fees and costs for
26 administrative hearings;~~

27 ~~(ii) Authorizing claims for benefits to be filed in the six-week
28 period beginning on the first day of the calendar week in which the
29 individual is on family leave;~~

30 ~~(iii) Not requiring claimants to verify the birth of a child or the
31 placement of a child for adoption;~~

32 ~~(iv) Including an attestation from the claimant that written notice
33 has been provided to the employer of the intention to take family
34 leave; and~~

35 ~~(v) Not deducting and withholding federal income taxes from benefit
36 payments.~~

37 ~~(b) In addition, the department shall incorporate the following
38 claim filing and benefit payment efficiencies:~~

1 ~~(i) Define "qualifying year" to mean the first four of the last~~
2 ~~five completed calendar quarters or, if eligibility is not established,~~
3 ~~the last four completed calendar immediately preceding the first day of~~
4 ~~the application year;~~

5 ~~(ii) Allow individuals to file a claim for benefits in the six-week~~
6 ~~period beginning on the first day of the calendar year in which the~~
7 ~~individual is on family leave; and~~

8 ~~(iii) After an initial family leave insurance benefit is paid,~~
9 ~~subsequent payments must be made biweekly, rather than semimonthly,~~
10 ~~thereafter.))~~

11 (12) \$222,000 of the general fund--state appropriation for fiscal
12 year 2009 is provided solely to implement Engrossed Second Substitute
13 House Bill No. 2815 (greenhouse gas emissions). If the bill is not
14 enacted by June 30, 2008, the amounts provided in this subsection shall
15 lapse.

16 (13) \$155,000 of the unemployment compensation administration
17 account--federal appropriation is provided solely to implement Second
18 Substitute Senate Bill No. 6732 (construction industry). If the bill
19 is not enacted by June 30, 2008, the amounts provided in this
20 subsection shall lapse.

(End of part)

PART XII
NATURAL RESOURCES

Sec. 1201. 2009 c 4 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2008)	\$50,109,000
General Fund--State Appropriation (FY 2009)	(\$45,748,000)
	<u>\$45,561,000</u>
General Fund--Federal Appropriation	\$83,013,000
General Fund--Private/Local Appropriation	\$13,618,000
Special Grass Seed Burning Research	
Account--State Appropriation	\$14,000
Reclamation Account--State Appropriation	\$4,207,000
Flood Control Assistance Account--State Appropriation	\$4,151,000
Aquatic Lands Enhancement Account--State Appropriation	\$400,000
State Emergency Water Projects Revolving	
Account--State Appropriation	\$390,000
Waste Reduction/Recycling/Litter	
Control--State Appropriation	\$19,588,000
State Drought Preparedness--State Appropriation	\$115,000
State and Local Improvements Revolving Account	
(Water Supply Facilities)--State Appropriation	\$421,000
Vessel Response Account--State Appropriation	\$1,604,000
Freshwater Aquatic Algae Control Account--State	
Appropriation	\$509,000
Site Closure Account--State Appropriation	\$694,000
Water Quality Account--State Appropriation	
(FY 2008)	\$15,137,000
Water Quality Account--State Appropriation	
(FY 2009)	\$16,493,000
Wood Stove Education and Enforcement Account--State	
Appropriation	\$370,000
Worker and Community Right-to-Know Account--State	
Appropriation	\$2,247,000
State Toxics Control Account--State Appropriation	(\$99,235,000)
	<u>\$95,125,000</u>

1	State Toxics Control Account--Private/Local	
2	Appropriation	\$381,000
3	Local Toxics Control Account--State Appropriation	\$20,952,000
4	Water Quality Permit Account--State Appropriation	\$34,022,000
5	Underground Storage Tank Account--State	
6	Appropriation	\$3,635,000
7	Biosolids Permit Account--State Appropriation	\$1,396,000
8	Hazardous Waste Assistance Account--State	
9	Appropriation	\$5,834,000
10	Air Pollution Control Account--State Appropriation	\$6,306,000
11	Oil Spill Prevention Account--State Appropriation	\$12,205,000
12	Air Operating Permit Account--State Appropriation	\$2,680,000
13	Freshwater Aquatic Weeds Account--State Appropriation	\$1,690,000
14	Oil Spill Response Account--State Appropriation	\$7,078,000
15	Metals Mining Account--State Appropriation	\$14,000
16	Water Pollution Control Revolving Account--State	
17	Appropriation	\$464,000
18	Water Pollution Control Revolving Account--Federal	
19	Appropriation	\$2,271,000
20	Columbia River Water Delivery Account--State	
21	Appropriation	\$2,150,000
22	TOTAL APPROPRIATION	((\$459,141,000))
23		<u>\$454,844,000</u>

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

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

31 (2) \$256,000 of the general fund--state appropriation for fiscal
32 year 2008, \$209,000 of the general fund--state appropriation for fiscal
33 year 2009, and \$200,000 of the general fund--private local
34 appropriation are provided solely to implement activities associated
35 with a regional haze program. Funds shall be collected and expended in
36 accordance with the terms of the contract entered into with affected
37 businesses and the department of ecology.

1 (3) \$2,000,000 of the local toxics control account--state
2 appropriation is provided solely to local governments outside of Puget
3 Sound for municipal storm water programs, including but not limited to,
4 implementation of phase II municipal storm water permits, source
5 control for toxics in association with cleanup of contaminated sediment
6 sites, and source control programs for shellfish protection districts
7 where storm water is a significant contributor.

8 (4) Fees approved by the department of ecology in the 2007-09
9 biennium are authorized to exceed the fiscal growth factor under RCW
10 43.135.055. Pursuant to RCW 43.135.055, the department is further
11 authorized to increase the following fees in fiscal year 2009 as
12 necessary to meet the actual costs of conducting business and the
13 appropriation levels in this section: Wastewater discharge permit, not
14 more than 5.57 percent; dam periodic inspection permit, not more than
15 5.57 percent; dam construction permit, not more than 5.57 percent; and
16 mixed waste management, not more than 14.14 percent.

17 (5) \$1,000,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$927,000 of the general fund--state appropriation for
19 fiscal year 2009 are provided solely to improve the performance of
20 wetland mitigation. Of this amount, \$55,000 of the general fund--state
21 appropriation for fiscal year 2008 and \$55,000 of the general fund--
22 state appropriation for fiscal year 2009 are provided solely to support
23 a wetland in Whatcom county. The program will engage local, state, and
24 federal agencies, private investors, property owners, and others in the
25 creation of one or more wetland banks and other measures to protect
26 habitat functions and values while accommodating urban growth in the
27 region. Priority shall be given to state and local government
28 partnerships for wetland characterization. The department shall issue
29 a report of its findings and recommendations on how wetland mitigation
30 success can be improved to the office of financial management and the
31 appropriate policy committees of the legislature.

32 (6) \$260,000 of the state toxics control account--state
33 appropriation is provided solely to support pesticide container
34 recycling activities in Washington.

35 (7) \$250,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$250,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for a pilot project to provide
38 grants to two local government jurisdictions located in the Puget Sound

1 area to improve compliance with existing environmental laws. Grant
2 funds shall be used for providing information on existing requirements,
3 providing technical assistance necessary to comply on a voluntary
4 basis, and taking enforcement action.

5 (8) \$1,257,000 of the reclamation account--state appropriation is
6 provided solely to implement Substitute Senate Bill No. 5881 (water
7 power license fees). If the bill is not enacted by June 30, 2007, the
8 amount provided in this section shall lapse.

9 (9) \$694,000 of the underground storage tank account--state
10 appropriation is provided solely to implement Substitute Senate Bill
11 No. 5475 (underground storage tanks). If the bill is not enacted by
12 June 30, 2007, the amount provided in this section shall lapse.

13 (10) \$2,026,000 of the local toxics control account--state
14 appropriation is provided solely for local governments located near
15 hazardous waste clean-up sites, including Duwamish Waterway,
16 Commencement Bay, and Bellingham Bay, to work with small businesses and
17 citizens to safely manage hazardous and solid wastes to prevent the
18 contamination.

19 (11) \$876,000 of the state toxics control account and \$876,000 of
20 the local toxics control account are provided solely for public
21 participation grants related to toxic cleanup sites within and around
22 Puget Sound.

23 (12) \$831,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$669,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely to implement watershed plans. Of
26 this amount, \$313,650 of the general fund--state appropriation for
27 fiscal year 2008 and \$529,000 of the general fund--state appropriation
28 for fiscal year 2009 are provided solely to support the implementation
29 of the WRIA 1 watershed plan and the Bertrand watershed improvement
30 district plan, including but not limited to implementation of the
31 Nooksack River basin stream gauging program, study of the feasibility
32 of a public utility district pipeline in the Bertrand watershed, study
33 and construction of water storage and augmentation in the Bertrand
34 watershed, and preparation and development of the next subbasin
35 watershed plan agreed to by the Bertrand instream flow policy group.

36 (13) \$75,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$75,000 of the general fund--state appropriation for
38 fiscal year 2009 are provided solely to implement Second Substitute

1 House Bill No. 2220 (shellfish). The department shall develop, by
2 rule, guidelines for the appropriate siting and operation of geoduck
3 aquaculture operations to be included in any master program under the
4 shorelines management act. If the bill is not enacted by June 30,
5 2007, the amounts provided in this subsection shall lapse.

6 (14) \$15,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$15,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided solely for convening a stakeholder group
9 to recommend establishing a sustainable statewide regional CBRNE/Hazmat
10 response capability.

11 (15) \$100,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$100,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely to implement key recommendations
14 and actions identified in the "Washington's Ocean Action Plan:
15 Enhancing Management of Washington State's Ocean and Outer Coast". The
16 department shall provide a progress report on implementing this plan to
17 the appropriate policy committees of the legislature by December 31,
18 2008.

19 (16) \$464,000 of the general fund--state appropriation for fiscal
20 year 2008 and \$136,000 of the general fund--state appropriation for
21 fiscal year 2009 are provided solely to implement Engrossed Substitute
22 Senate Bill No. 6001 (climate change). If the bill is not enacted by
23 June 30, 2007, the amounts provided in this subsection shall lapse.

24 (17) \$75,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$75,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for the department to oversee
27 beach seaweed removal in the west Seattle Fauntleroy community. The
28 department may spend up to \$25,000 of this amount for its cost of
29 administration.

30 (18) \$693,000 of the state toxics control account is provided
31 solely for implementation of Senate Bill No. 5421 (environmental
32 covenants). If the bill is not enacted by June 30, 2007, the amount
33 provided in this section shall lapse.

34 (19) \$99,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$100,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely for a marshland study of key areas
37 of salmon habitat along the Snohomish river estuary.

1 (20) \$196,000 of the general fund--state appropriation for fiscal
2 year 2008, \$132,000 of the general fund--state appropriation for fiscal
3 year 2009, and \$19,000 of the oil spill prevention account
4 appropriation are provided solely to implement Engrossed Substitute
5 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
6 enacted by June 30, 2007, the department shall execute activities as
7 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound
8 partnership).

9 (21) \$150,000 of the general fund--state appropriation for fiscal
10 year 2008 is provided solely for the department to contract with the
11 U.S. institute for environmental conflict resolution, a federal agency,
12 to develop a pilot water management process with three federally
13 recognized treaty Indian tribes. \$50,000 of the general fund--state
14 appropriation for fiscal year 2008 is provided solely for the northwest
15 Indian fisheries commission to help establish the pathway for the
16 process in federal agencies.

17 (22) \$150,000 of the general fund--state appropriation for fiscal
18 year 2009 is provided solely to continue the pilot water pathways
19 project through the remainder of the biennium. The department will
20 work with the northwest Indian fisheries commission and the U.S.
21 institute on environmental conflict resolution to find resolution on
22 persistent water policy issues between tribes and nontribal entities.

23 (23) \$319,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$241,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the implementation of
26 Engrossed Second Substitute Senate Bill No. 6117 (reclaimed water). If
27 the bill is not enacted by June 30, 2007, the amounts provided in this
28 subsection shall lapse.

29 (24) \$53,000 of the oil spill prevention account--state
30 appropriation is provided solely for the implementation of Senate Bill
31 No. 5552 (penalties for oil spills). If the bill is not enacted by
32 June 30, 2007, the amount provided in this subsection shall lapse.

33 (25) \$50,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$50,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely to the department to convene a
36 shellfish aquaculture regulatory committee, composed of a balanced
37 representation from interested state regulatory agencies, Native
38 American tribes, local governments and the environmental and shellfish

1 farming communities. The group will be facilitated by the office of
2 regulatory assistance and will address federal, state, and local
3 regulatory issues related to shellfish farming.

4 (26) Within the appropriations provided in this section for the
5 development of water supplies in the Columbia river basin, the
6 department shall assist county governments located east of the crest of
7 the Cascade mountain range that: Have an international border; or
8 border a county with an international boundary and a county with four
9 hundred thousand or more residents, to identify water supply projects
10 to compete for funding from the Columbia river basin water management
11 program. The department shall provide technical assistance as needed
12 to further refine priority projects identified by these counties. The
13 department shall consider and balance regional water supply needs in
14 its funding allocation decisions made as a part of this program.

15 (27) \$50,000 of the general fund--state appropriation for fiscal
16 year 2009 is provided solely for coordinating with the University of
17 Washington to assess the current energy profile of Washington state
18 pulp and paper mills. The energy consumption and energy generation
19 capability will be determined for both steam and electrical power. In
20 addition, the sources and types of fuels used in various boilers will
21 be assessed.

22 (28) \$195,000 of the general fund--state appropriation for fiscal
23 year 2009 is provided solely to support a collaborative process to
24 design a proposed comprehensive water management structure for the
25 Walla Walla river basin. The proposed structure should address the
26 allocation of functions, authorities, resource requirements, and issues
27 associated with interstate watershed management of the basin. Invited
28 participants should include but not be limited to the confederated
29 tribes of the Umatilla Indian reservation; appropriate state agencies;
30 and Walla Walla basin interests such as municipalities, irrigation
31 districts, conservation districts, fisheries, agriculture, economic
32 development, and environmental representatives. A report outlining the
33 proposed governance and water management structure shall be submitted
34 to the governor and the appropriate committees of the legislature by
35 November 15, 2008.

36 (29) \$333,000 of the state toxics control account--state
37 appropriation is provided solely for implementation of Engrossed Second

1 Substitute House Bill No. 2647 (children's safe products). If the bill
2 is not enacted by June 30, 2008, the amount provided in this subsection
3 shall lapse.

4 (30) \$256,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$1,027,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for Engrossed Second Substitute
7 House Bill No. 2815 (reducing greenhouse gases emissions in the
8 Washington economy). In participating in the western climate
9 initiative under Engrossed Second Substitute House Bill No. 2815, the
10 director of the department shall seek to ensure that the design for a
11 regional multisector market-based system confers equitable economic
12 benefits and opportunities to electric utilities operating in
13 Washington by having that system recognize at least the following: (a)
14 Voluntary investments made by Washington utilities in energy efficiency
15 measures; (b) emission reduction benefits that other state and
16 provincial participants in the western climate initiative derive from
17 consuming renewable energy generated in Washington; and (c) adverse
18 impacts that climate change uniquely has upon the capabilities of
19 hydroelectric power generation. Washington state's representatives to
20 the western climate initiative process shall advocate for a regional
21 multisector market-based design that addresses competitive
22 disadvantages that could be experienced by in-region industries as
23 compared to industries in states or countries that do not have
24 greenhouse gas reduction programs that are substantively equivalent to
25 the system designed under the western climate initiative process. If
26 the bill is not enacted by June 30, 2008, the amounts provided in this
27 subsection shall lapse.

28 (31) Within the appropriations provided in this section the
29 department shall ensure that standard statewide protocols for surface
30 water monitoring are developed and included in status and trends
31 monitoring to utilize information from other entities, including other
32 state agencies, local governments, and volunteer groups.

33 (32)(a) \$2,000,000 of the Columbia river water delivery account
34 appropriation is provided solely for distribution to affected counties
35 as defined in Engrossed Second Substitute Senate Bill No. 6874
36 (Columbia river water) to mitigate for negative impacts caused by
37 releases of Lake Roosevelt water for the purposes described in that

1 bill. The criteria for allocating these funds shall be developed by
2 the department in consultation with affected local governments.

3 (b) \$150,000 of the Columbia river water delivery account
4 appropriation is provided solely for the department to retain a
5 contractor to perform an independent analysis of legislative options to
6 protect rural communities in northeast Washington from disproportionate
7 economic, agricultural, and environmental impacts when upstream water
8 rights are purchased and transferred for use, or idled and used as
9 mitigation, in a downstream watershed or county. Before retaining a
10 contractor, the department shall consult with affected counties as
11 defined in Engrossed Second Substitute Senate Bill No. 6874 (Columbia
12 river water). The contractor selected shall conduct the independent
13 analysis and develop a report describing options and recommended
14 actions. The department of ecology shall provide the report to the
15 appropriate committees of the legislature by December 1, 2008.

16 (c) If Engrossed Second Substitute Senate Bill No. 6874 (Columbia
17 river water delivery) is not enacted by June 30, 2008, the amounts
18 provided in this subsection shall lapse.

19 (33) \$210,000 of the local toxics control account--state
20 appropriation is provided solely to clean up naturally occurring
21 asbestos from Swift Creek.

22 (34) \$80,000 of the state toxics control account--state
23 appropriation is provided solely for the department to create a
24 stakeholder advisory committee to review and develop recommendations to
25 help businesses achieve a fifty percent toxics reduction use goal. The
26 committee shall: (a) Review and make recommendations to improve the
27 effectiveness and delivery of technical assistance in pollution
28 prevention planning; (b) develop recommendations for strategies to
29 encourage moving away from "end-of-pipe" pollution reduction approaches
30 to increase hazardous waste prevention throughout the state; and (c)
31 review and make recommendations on revising the hazardous waste
32 planning fee under RCW 70.95E.030, including opportunities to provide
33 incentives that reward businesses for toxic use reduction successes in
34 meeting a fifty percent toxics use reduction goal. The committee shall
35 report its findings and recommendations to the fiscal and policy
36 committees of the senate and house of representatives by November 1,
37 2008.

1 (35) \$70,000 of the general fund--state appropriation for fiscal
2 year 2009 is provided solely for Substitute Senate Bill No. 6805
3 (relating to promoting farm and forest land preservation and
4 environmental restoration through conservation markets). If the bill
5 is not enacted by June 30, 2008, the amount provided in this subsection
6 shall lapse.

7 **Sec. 1202.** 2009 c 4 s 303 (uncodified) is amended to read as
8 follows:

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

10	General Fund--State Appropriation (FY 2008)	\$48,970,000
11	General Fund--State Appropriation (FY 2009)	(\$45,503,000)
12		<u>\$45,508,000</u>
13	General Fund--Federal Appropriation	\$5,731,000
14	General Fund--Private/Local Appropriation	\$73,000
15	Winter Recreation Program Account--State	
16	Appropriation	\$1,559,000
17	Off-Road Vehicle Account--State Appropriation	\$234,000
18	Snowmobile Account--State Appropriation	\$4,829,000
19	Aquatic Lands Enhancement Account--State	
20	Appropriation	\$363,000
21	Public Safety and Education Account--State	
22	Appropriation (FY 2008)	\$23,000
23	Public Safety and Education Account--State	
24	Appropriation (FY 2009)	\$24,000
25	Parks Renewal and Stewardship Account--State	
26	Appropriation	(\$37,334,000)
27		<u>\$38,584,000</u>
28	Parks Renewal and Stewardship Account--Private/Local	
29	Appropriation	\$300,000
30	TOTAL APPROPRIATION	(\$144,943,000)
31		<u>\$146,198,000</u>

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

34 (1) Fees approved by the state parks and recreation commission in
35 the 2007-09 biennium are authorized to exceed the fiscal growth factor
36 under RCW 43.135.055.

1 (2) \$79,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$79,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for a grant for the operation of
4 the Northwest avalanche center.

5 (3) \$300,000 of the general fund--state appropriation for fiscal
6 year 2008 is provided solely for project scoping and cost estimating
7 for the agency's 2009-11 capital budget submittal.

8 (4) \$2,255,000 of the general fund--state appropriation for fiscal
9 year 2009 is provided solely for costs associated with relocating the
10 commission's Tumwater headquarters office.

11 (5) \$272,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$271,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely for costs associated with
14 relocating the commission's eastern Washington regional headquarters
15 office.

16 (6) \$1,000,000 of the general fund--state appropriation for fiscal
17 year 2008 is provided solely for replacing vehicles and equipment.

18 (7) \$1,611,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$1,428,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for planned and emergency
21 maintenance of park facilities.

22 (8) \$1,700,000 of the general fund--federal appropriation for
23 fiscal year 2009 is provided solely for the recreational boating safety
24 program.

25 (9) \$954,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$1,007,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely for the operations of Cama Beach
28 state park.

29 (10) \$25,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$25,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for implementation of Substitute
32 Senate Bill No. 5219 (weather and avalanche center). If the bill is
33 not enacted by June 30, 2007, the amounts provided in this subsection
34 shall lapse.

35 (11) \$9,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$9,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for implementation of Substitute

1 Senate Bill No. 5463 (forest fire protection). If the bill is not
2 enacted by June 30, 2007, the amounts provided in this subsection shall
3 lapse.

4 (12) \$9,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$9,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for implementation of Substitute
7 Senate Bill No. 5236 (public lands management). If the bill is not
8 enacted by June 30, 2007, the amounts provided in this subsection shall
9 lapse.

10 (13) \$264,000 of the general fund--state appropriation for fiscal
11 year 2008 and \$217,000 of the general fund--state appropriation for
12 fiscal year 2009 are provided solely to establish a pilot lifeguard
13 program at Lake Sammamish and Nolte state parks. The department shall
14 complete a comprehensive risk analysis to determine if expansion of the
15 lifeguard program or other drowning risk reduction measures should be
16 implemented. The department shall report its findings to the office of
17 financial management and the appropriate committees of the legislature
18 by July 1, 2009. The department shall fully implement this program as
19 intended in this subsection.

20 (14) \$455,000 of the general fund--state appropriation for fiscal
21 year 2008 and \$10,000 of the general fund--state appropriation for
22 fiscal year 2009 are provided solely for the development of a long-
23 range plan for Fort Worden state park, including architectural and site
24 design guidelines, business and operations implementation, site and
25 facilities use plan, and for the department to convene a task force to
26 recommend alternative governance structures for the park.

27 (15) \$1,600,000 of the parks renewal stewardship account--state
28 appropriation is provided solely for operating state parks, developing
29 and renovating park facilities, undertaking deferred maintenance,
30 enhancing park stewardship and other state park purposes, pursuant to
31 Substitute House Bill No. 2275 (raising funds for state parks).
32 Expenditures from the amount provided in this subsection shall not
33 exceed actual revenues received under Substitute House Bill No. 2275.
34 If the bill is not enacted by June 30, 2007, the amounts provided in
35 this subsection shall lapse.

36 (16) \$40,000 of the general fund--state appropriation for fiscal
37 year 2009 is provided solely for implementation of Second Substitute

1 House Bill No. 2514 (orca whale protection). If the bill is not
2 enacted by June 30, 2008, the amount provided in this subsection shall
3 lapse.

4 (17) \$58,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$73,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for one-time financial assistance
7 to the northwest weather and avalanche center, administered by the
8 United States forest service, to keep the center operational through
9 the remainder of the biennium.

10 (18) Funds in this section are sufficient for continued
11 implementation of Engrossed Substitute Senate Bill No. 5010 (foster
12 home pass). If the bill is not enacted by June 30, 2008, the amount
13 provided in this subsection shall lapse.

14 **Sec. 1203.** 2009 c 4 s 307 (uncodified) is amended to read as
15 follows:

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

17	General Fund--State Appropriation (FY 2008)	\$56,158,000
18	General Fund--State Appropriation (FY 2009)	(\$49,062,000)
19		<u>\$49,094,000</u>
20	General Fund--Federal Appropriation	\$52,270,000
21	General Fund--Private/Local Appropriation	\$37,184,000
22	Off-Road Vehicle Account--State Appropriation	\$413,000
23	Aquatic Lands Enhancement Account--State	
24	Appropriation	\$6,022,000
25	Public Safety and Education Account--State	
26	Appropriation (FY 2008)	\$268,000
27	Public Safety and Education Account--State	
28	Appropriation (FY 2009)	\$323,000
29	Recreational Fisheries Enhancement--State	
30	Appropriation	\$3,600,000
31	Warm Water Game Fish Account--State Appropriation	\$2,992,000
32	Eastern Washington Pheasant Enhancement	
33	Account--State Appropriation	\$753,000
34	Aquatic Invasive Species Enforcement Account--State	
35	Appropriation	\$204,000
36	Aquatic Invasive Species Prevention Account--State	
37	Appropriation	\$842,000

1	Wildlife Account--State Appropriation	\$63,549,000
2	Wildlife Account--Federal Appropriation	\$34,279,000
3	Wildlife Account--Private/Local Appropriation	\$13,187,000
4	Game Special Wildlife Account--State Appropriation	\$2,478,000
5	Game Special Wildlife Account--Federal Appropriation	\$8,911,000
6	Game Special Wildlife Account--Private/Local	
7	Appropriation	\$483,000
8	Water Quality Account--State Appropriation (FY 2008)	\$160,000
9	Water Quality Account--State Appropriation (FY 2009)	\$160,000
10	Regional Fisheries Salmonid Recovery Account--Federal	
11	Appropriation	\$5,001,000
12	Oil Spill Prevention Account--State Appropriation	\$1,093,000
13	Oyster Reserve Land Account--State Appropriation	\$416,000
14	Wildlife Rehabilitation Account--State Appropriation	(((\$270,000))
15		<u>\$240,000</u>
16	TOTAL APPROPRIATION	(((\$340,078,000))
17		<u>\$340,080,000</u>

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

20 (1) The department shall use the department of printing for
21 printing needs. Funds provided in this section may not be used to
22 staff or fund a stand-alone printing operation.

23 (2) \$175,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$175,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the implementation of hatchery
26 reform recommendations defined by the hatchery scientific review group.

27 (3) The department shall support the activities of the aquatic
28 nuisance species coordination committee to foster state, federal,
29 tribal, and private cooperation on aquatic nuisance species issues.
30 The committee shall strive to prevent the introduction of nonnative
31 aquatic species and to minimize the spread of species that are
32 introduced.

33 (4) The department shall emphasize enforcement of laws related to
34 protection of fish habitat and the illegal harvest of salmon and
35 steelhead. Within the amount provided for the agency, the department
36 shall provide support to the department of health to enforce state
37 shellfish harvest laws.

1 (5) \$400,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$400,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for a state match to support the
4 Puget Sound nearshore partnership between the department and the U.S.
5 army corps of engineers.

6 (6) The department shall assist the office of regulatory assistance
7 in implementing activities consistent with the governor's regulatory
8 improvement program. The department shall support and provide
9 expertise to facilitate, coordinate, and simplify citizen and business
10 interactions so as to improve state regulatory processes involving
11 state, local, and federal stakeholders.

12 (7) \$634,000 of the general fund--state appropriation for fiscal
13 year 2008 is provided solely for operations and fish production costs
14 at department-operated Mitchell act hatchery facilities.

15 (8) \$609,000 of the general fund--state appropriation for fiscal
16 year 2009 is provided solely for the department to implement a pilot
17 project with the Confederated Tribes of the Colville Reservation to
18 develop expanded recreational fishing opportunities on Lake Rufus Woods
19 and its northern shoreline and to conduct joint enforcement of lake
20 fisheries on Lake Rufus Woods and adjoining waters, pursuant to state
21 and tribal intergovernmental agreements developed under the Columbia
22 River water supply program.

23 (a) For the purposes of the pilot project:

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

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

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

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

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

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

4 (b) The director, in collaboration with the Colville Tribes, shall
5 provide an interim report to the office of financial management and the
6 appropriate committees of the legislature by December 31, 2008. The
7 report shall describe the status of the pilot project, and make
8 recommendations as needed to fully implement the project, pursuant to
9 the state and tribal agreement on Lake Rufus Woods.

10 (9) \$182,000 of the general fund--state appropriation for fiscal
11 year 2008 and \$182,000 of the general fund--state appropriation for
12 fiscal year 2009 are provided solely to continue the ballast water
13 management program in Puget Sound and expand the program to include the
14 Columbia river and coastal ports.

15 (10) \$250,000 of the general fund--state appropriation for fiscal
16 year 2008 and \$250,000 of the general fund--state appropriation for
17 fiscal year 2009 are provided solely for hatchery facility maintenance
18 improvements.

19 (11) \$440,000 of the general fund--state appropriation for fiscal
20 year 2008 and \$409,000 of the general fund--state appropriation for
21 fiscal year 2009 are provided solely for estimates of juvenile
22 abundance of federally listed salmon and steelhead populations. The
23 department shall report to the office of financial management and the
24 appropriate fiscal committees of the legislature with a letter stating
25 the use and measurable results of activities that are supported by
26 these funds.

27 (12) \$125,000 of the general fund--state appropriation for fiscal
28 year 2008 and \$125,000 of the general fund--state appropriation for
29 fiscal year 2009 are provided solely for the strategic budget and
30 accountability program.

31 (13) \$113,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$113,000 of the general fund--state appropriation for
33 fiscal year 2009 are provided solely to implement Engrossed Substitute
34 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
35 enacted by June 30, 2007, the department shall execute activities as
36 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound
37 partnership).

1 (14) Prior to submitting its 2009-11 biennial operating and capital
2 budget request related to state fish hatcheries to the office of
3 financial management, the department shall contract with the hatchery
4 scientific review group (HSRG) to review this request. This review
5 shall: (a) Determine if the proposed requests are consistent with HSRG
6 recommendations; (b) prioritize the components of the requests based on
7 their contributions to protecting wild salmonid stocks and meeting the
8 recommendations of the HSRG; and (c) evaluate whether the proposed
9 requests are being made in the most cost effective manner. The
10 department shall provide a copy of the HSRG review to the office of
11 financial management and the appropriate legislative committees by
12 October 1, 2008.

13 (15) \$43,000 of the general fund--state appropriation for fiscal
14 year 2008 is provided solely for the implementation of Substitute
15 Senate Bill No. 5447 (coastal Dungeness crab). If the bill is not
16 enacted by June 30, 2007, the amount provided in this subsection shall
17 lapse.

18 (16) \$4,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$4,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for the implementation of
21 Substitute Senate Bill No. 5463 (forest fire protection). If the bill
22 is not enacted by June 30, 2007, the amounts provided in this
23 subsection shall lapse.

24 (17) \$89,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$89,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for the implementation of
27 Substitute Senate Bill No. 6141 (forest health). If the bill is not
28 enacted by June 30, 2007, the amounts provided in this subsection shall
29 lapse.

30 (18) \$204,000 of the aquatic invasive species enforcement account--
31 state appropriation is provided solely for the implementation of
32 Substitute Senate Bill No. 5923 (aquatic invasive species). If the
33 bill is not enacted by June 30, 2007, the amount provided in this
34 subsection shall lapse.

35 (19) \$352,000 of the wildlife rehabilitation account is provided
36 solely for the implementation of Senate Bill No. 5188 (wildlife
37 rehabilitation). If the bill is not enacted by June 30, 2007, the
38 amounts provided in this subsection shall lapse.

1 (20) \$77,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$75,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the department of fish and
4 wildlife to participate in the upper Columbia salmon recovery plan
5 implementation, habitat conservation plan hatchery committees, and the
6 priest rapids salmon and steelhead agreement hatchery technical
7 committee.

8 (21)(a) Within existing funds, the department of fish and wildlife
9 shall sell the upper 20-acre parcel of the Beebe springs property.

10 (b) Proceeds from the sale are to be used to develop the Beebe
11 springs natural interpretive site. Up to \$300,000 of the general
12 fund--state appropriation for fiscal year 2009 is provided solely for
13 the development of the Beebe springs natural interpretive site. The
14 department shall not expend more than the amount received from the sale
15 proceeds.

16 (22) \$50,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$49,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely to implement Substitute House Bill
19 No. 2049 (marine resource committees). If the bill is not enacted by
20 June 30, 2007, the amounts provided in this subsection shall lapse.

21 (23) \$35,000 of the general fund--state appropriation for fiscal
22 year 2008 and \$35,000 of the general fund--state appropriation for
23 fiscal year 2009 are provided solely for a study of introducing oxygen
24 to the waters of Hood Canal. The study shall propose a location in a
25 small marine area where a large number of bottom-dwelling fish species
26 exist, and analyze the impact of injected dissolved oxygen on aquatic
27 life. The department shall report to the appropriate committees of the
28 legislature on the results of the study and recommend whether to
29 proceed with a project to inject oxygen into Hood Canal.

30 (24) \$1,310,000 of the general fund--state appropriation for fiscal
31 year 2008 is provided solely to replace state wildlife account funds
32 for the engineering program and \$610,000 of the general fund--state
33 appropriation for fiscal year 2008 are provided solely to replace state
34 wildlife account funds for the hydraulic project permitting program,
35 including the development of a permit fee schedule for the hydraulic
36 project approval program to make the program self supporting. Fees may
37 be based on factors relating to the complexity of the permit issuance.
38 The fees received by the department must be deposited into the state

1 wildlife account and shall be expended exclusively for the purposes of
2 the hydraulic project permitting program. By December 1, 2008, the
3 department shall provide a permit fee schedule for the hydraulic
4 project approval program to the office of financial management and the
5 appropriate committees of the legislature.

6 (25) \$245,000 of the general fund--state appropriation for fiscal
7 year 2008 is provided solely to the department to work in cooperation
8 with the department of natural resources to assist with the
9 implementation of the wild horse coordinated resource management plan.
10 Implementation may include providing grant funding to other state and
11 nonstate entities as needed.

12 (26) \$270,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$270,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for the department to develop
15 siting guidelines for power generation facilities, provide technical
16 assistance for permitting, support voluntary compliance with the
17 guidelines, and to conduct bird and wildlife assessments on state lands
18 most eligible for wind power leases.

19 (27) \$50,000 of the general fund--state appropriation for fiscal
20 year 2008 is provided solely to implement Second Substitute House Bill
21 No. 2220 (shellfish). The department shall develop and maintain an
22 electronic database for aquatic farmer registration. If the bill is
23 not enacted by June 30, 2007, the amount provided in this subsection
24 shall lapse.

25 (28) During the 2007-09 biennium, the department shall not make a
26 permanent closure of any hatchery facility currently in operation.

27 (29) Within existing funds, the department shall continue
28 implementing its capital program action plan dated September 1, 2007,
29 including the purchase of the necessary maintenance and support costs
30 for the capital programs and engineering tools. The department shall
31 report to the office of financial management and the appropriate
32 committees of the legislature, its progress in implementing the plan,
33 including improvements instituted in its capital program, by September
34 30, 2008.

35 (30) \$46,000 of the general fund--state appropriation for fiscal
36 year 2009 is provided solely for implementation of Second Substitute
37 House Bill No. 2514 (orca whale protection). If the bill is not

1 enacted by June 30, 2008, the amount provided in this subsection shall
2 lapse.

3 (31) The department shall complete an inventory of department
4 purchased or leased lands acquired for mixed agriculture and fish and
5 wildlife habitat and provide for each purchase or lease agreement the
6 cost and date of the agreement, the previous use of the land, any
7 agreement or deed specifying continuing use of the land, and the
8 current management cost and status of each parcel of purchased or
9 leased lands. The department shall provide the inventory to the
10 appropriate committees of the legislature by December 1, 2008.

11 (32) \$289,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$301,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely for selective fisheries.

14 (33) \$100,000 of the general fund--state appropriation for fiscal
15 year 2009 is provided solely for removal of derelict gear in Washington
16 waters.

17 (34) \$135,000 of the general fund--state appropriation for fiscal
18 year 2009 is provided solely for a review of the effectiveness of the
19 department's existing hydraulic project approval process and
20 environmental outcomes.

21 (35) \$75,000 of the general fund--state appropriation for fiscal
22 year 2009 is provided solely to implement the 2008 Wiley Slough
23 restoration project report to the legislature recommendation to
24 establish a private farmland, public recreation partnership that would
25 provide farmland preservation, waterfowl management, and public
26 recreational access.

27 (36) \$95,000 of the general fund--state appropriation for fiscal
28 year 2009 is provided solely for Ebey Island property management costs.

29 (37)(a) A work group on Electron dam salmon passage is established,
30 with members as provided in this subsection.

31 (i) The president of the senate shall appoint one member from each
32 of the two largest caucuses of the senate.

33 (ii) The speaker of the house of representatives shall appoint one
34 member from each of the two largest caucuses of the house of
35 representatives.

36 (iii) The department of fish and wildlife shall appoint at least
37 one representative from each of the following entities: The department

1 of fish and wildlife, Puyallup Tribe of Indians, and Puget Sound
2 energy.

3 (b) The department of fish and wildlife shall provide staff support
4 to the work group.

5 (c) The work group shall study possible enhancements for improving
6 outbound juvenile salmon passage at Electron dam on the Puyallup river.

7 (d) Legislative members of the work group shall be reimbursed for
8 travel expenses in accordance with RCW 44.04.120. Nonlegislative
9 members, except those representing an employer or organization, are
10 entitled to be reimbursed for travel expenses in accordance with RCW
11 43.03.050 and 43.03.060.

12 (e) The expenses of the work group, other than travel expenses of
13 legislative members, shall be paid within existing funds from the
14 department of fish and wildlife.

15 (f) The work group shall present its findings and recommendations
16 to the appropriate committees of the legislature by January 1, 2009.

17 (g) This subsection expires January 1, 2009.

18 (38) As part of its 2009-11 biennial budget request, the department
19 shall submit a report detailing the methodology for determining the
20 value of payment in lieu of taxes as provided in RCW 79.70.130. At a
21 minimum, the report will show the number of acres subject to the
22 payment in lieu of taxes, the tax rates assumed by each affected
23 county, and the resulting value of the state general fund obligation.

24 (39) Within the appropriations in this section, specific funding is
25 provided to implement Engrossed Senate Bill No. 6821 (fish and wildlife
26 information).

27 (40) \$250,000 of the general fund--state appropriation for fiscal
28 year 2009 is provided solely for Second Substitute Senate Bill No. 6227
29 (outer coast marine resources committees). If the bill is not enacted
30 by June 30, 2008, the amount provided in this subsection shall lapse.

31 (41) \$115,000 of the general fund--state appropriation for fiscal
32 year 2009 is provided solely for Substitute Senate Bill No. 6231
33 (marine protected areas). If the bill is not enacted by June 30, 2008,
34 the amount provided in this subsection shall lapse.

35 **Sec. 1204.** 2009 c 4 s 308 (uncodified) is amended to read as
36 follows:

1	FOR THE DEPARTMENT OF NATURAL RESOURCES	
2	General Fund--State Appropriation (FY 2008)	\$50,328,000
3	General Fund--State Appropriation (FY 2009)	(\$48,695,000)
4		<u>\$65,720,000</u>
5	General Fund--Federal Appropriation	\$27,855,000
6	General Fund--Private/Local Appropriation	\$1,408,000
7	Forest Development Account--State Appropriation	(\$57,603,000)
8		<u>\$57,647,000</u>
9	Off-Road Vehicle Account--State Appropriation	\$4,196,000
10	Surveys and Maps Account--State Appropriation	\$2,523,000
11	Aquatic Lands Enhancement Account--State	
12	Appropriation	\$7,897,000
13	Resources Management Cost Account--State	
14	Appropriation	(\$94,633,000)
15		<u>\$95,426,000</u>
16	Surface Mining Reclamation Account--State	
17	Appropriation	\$3,279,000
18	Disaster Response Account--State Appropriation	\$5,000,000
19	Forest and Fish Support Account--State Appropriation	\$7,000,000
20	Water Quality Account--State Appropriation (FY 2008)	\$1,348,000
21	Water Quality Account--State Appropriation (FY 2009)	\$1,348,000
22	Aquatic Land Dredged Material Disposal Site	
23	Account--State Appropriation	\$1,335,000
24	Natural Resources Conservation Areas Stewardship	
25	Account--State Appropriation	\$34,000
26	State Toxics Control Account--State Appropriation	\$80,000
27	Air Pollution Control Account--State Appropriation	\$567,000
28	Nonhighway and Off-Road Vehicle Activities Program	
29	Account--State Appropriation	\$982,000
30	Derelict Vessel Removal Account--State Appropriation	\$3,650,000
31	Agricultural College Trust Management Account--State	
32	Appropriation	\$2,046,000
33	TOTAL APPROPRIATION	(\$321,807,000)
34		<u>\$339,669,000</u>

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

37 (1) \$1,021,000 of the general fund--state appropriation for fiscal
38 year 2008 and \$1,043,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for deposit into the agricultural
2 college trust management account and are provided solely to manage
3 approximately 70,700 acres of Washington State University's
4 agricultural college trust lands.

5 (2) \$13,920,000 of the general fund--state appropriation for fiscal
6 year 2008, (~~(\$13,542,000)~~) \$30,292,000 of the general fund--state
7 appropriation for fiscal year 2009, and \$5,000,000 of the disaster
8 response account--state appropriation are provided solely for emergency
9 fire suppression. None of the general fund and disaster response
10 account amounts provided in this subsection may be used to fund agency
11 indirect and administrative expenses. Agency indirect and
12 administrative costs shall be allocated among the agency's remaining
13 accounts and appropriations.

14 (3) Fees approved by the department of natural resources and the
15 board of natural resources in the 2007-09 biennium are authorized to
16 exceed the fiscal growth factor under RCW 43.135.055.

17 (4) \$198,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$199,000 of the general fund--state appropriation for
19 fiscal year 2009 are provided solely for the department to work with
20 appropriate stakeholders and state agencies in determining how
21 privately owned lands, in combination with other land ownership such as
22 public and tribal lands, contribute to wildlife habitat. The
23 assessment will also determine how commercial forests, forest lands on
24 the urban fringe, and small privately-owned forest lands that are
25 managed according to Washington's forest and fish prescriptions, in
26 combination with other forest management activities, function as
27 wildlife habitat now and in the future.

28 (5) \$5,000,000 of the forest and fish support account--state
29 appropriation is provided solely for adaptive management, monitoring,
30 and participation grants to tribes. If federal funding for this
31 purpose is reinstated, the amount provided in this subsection shall
32 lapse. The department shall compile the outcomes of these grants
33 annually and submit them to the office of financial management by
34 September 1 of 2008 and 2009.

35 (6) \$400,000 of the forest and fish support account--state
36 appropriation is provided solely for adaptive management, monitoring,
37 and participation grants to the departments of ecology and fish and

1 wildlife. If federal funding for this purpose is reinstated, this
2 subsection shall lapse.

3 (7) The department shall prepare a feasibility study that analyzes
4 applicable business processes and develops the scope, requirements, and
5 alternatives for replacement of the department's current suite of
6 payroll-support systems. The department shall use an independent
7 consultant to assist with the study, and shall submit the completed
8 analysis to the office of financial management, the department of
9 personnel, and the department of information services by August 1,
10 2008.

11 (8) \$600,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$600,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely to continue interagency agreements
14 with the department of fish and wildlife and the department of ecology
15 for forest and fish report field implementation tasks.

16 (9) All department staff serving as recreation-management trail
17 stewards shall be noncommissioned.

18 (10) \$112,000 of the aquatic lands enhancement account--state
19 appropriation is provided solely for spartina eradication efforts. The
20 department may enter into agreements with federal agencies to eradicate
21 spartina from private lands that may provide a source of reinfestation
22 to public lands.

23 (11) \$40,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$40,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the department to convene and
26 staff a work group to study issues related to wildfire prevention and
27 protection. The work group shall be composed of members representing
28 rural counties in eastern and western Washington, fire districts,
29 environmental protection organizations, industrial forest landowners,
30 the agricultural community, the beef industry, small forest landowners,
31 the building industry, realtors, the governor or a designee, the
32 insurance commissioner or a designee, the office of financial
33 management, the state fire marshal or a designee, the state building
34 code council, and the commissioner or public lands or a designee. The
35 work group shall issue a report of findings and recommendations to the
36 appropriate committees of the legislature by August 1, 2008.

37 (12) \$249,000 of the aquatic lands enhancement account--state
38 appropriation is provided solely to implement Engrossed Substitute

1 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
2 enacted by June 30, 2007, the department shall execute activities as
3 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound
4 partnership).

5 (13) \$2,000,000 of the derelict vessel removal account--state
6 appropriation is provided solely for the implementation of Engrossed
7 Second Substitute Senate Bill No. 6044 (derelict vessels). If the bill
8 is not enacted by June 30, 2007, the amount provided in this subsection
9 shall lapse.

10 (14) \$34,000 of the general fund--state appropriation for fiscal
11 year 2008 and \$34,000 of the general fund--state appropriation for
12 fiscal year 2009 are provided solely for the implementation of
13 Substitute Senate Bill No. 5236 (public lands management). If the bill
14 is not enacted by June 30, 2007, the amounts provided in this
15 subsection shall lapse.

16 (15) \$14,000 of the forest development account--state appropriation
17 and \$52,000 of the resources management cost account--state
18 appropriation are provided solely for implementation of Substitute
19 Senate Bill No. 5463 (forest fire protection). If the bill is not
20 enacted by June 30, 2007, the amounts provided in this subsection shall
21 lapse.

22 (16) \$100,000 of the general fund--state appropriation for fiscal
23 year 2008 and \$900,000 of the general fund--state appropriation for
24 fiscal year 2009 are provided solely for the removal of one or two
25 large floating dry docks off Lake Washington near the Port Quendall
26 site in north Renton.

27 (17) \$547,000 of the general fund--state appropriation for fiscal
28 year 2008 and \$726,000 of the general fund--state appropriation for
29 fiscal year 2009 are provided solely for the implementation of
30 Substitute Senate Bill No. 6141 (forest health). If the bill is not
31 enacted by June 30, 2007, the amounts provided in this subsection shall
32 lapse.

33 (18) \$22,000 of the surface mining reclamation account--state
34 appropriation and \$22,000 of the resources management cost account--
35 state appropriation are provided solely for the implementation of
36 Substitute Senate Bill No. 5972 (surface mining reclamation). If the
37 bill is not enacted by June 30, 2007, the amounts in this subsection
38 shall lapse.

1 (19) \$125,000 of the general fund--state appropriation for fiscal
2 year 2008, \$125,000 of the general fund--state appropriation for fiscal
3 year 2009, and \$250,000 of the resource management cost account--state
4 appropriation are provided solely to extend the 2005-2007 contract with
5 the University of Washington college of forestry resources for
6 additional research and technical assistance on the future of
7 Washington forests. Reports shall be submitted by June 30, 2009, to
8 the appropriate committees of the legislature on the following topics:

9 (a) An exploration of the potential markets for renewable energy
10 from biomass from Washington forests, especially from material removed
11 from eastern Washington forests as part of forest health improvement
12 efforts. This exploration shall assess the feasibility of converting
13 large amounts of underutilized forest biomass into useful products and
14 green energy by providing required analyses needed to efficiently
15 collect and deliver forest biomass to green energy end users. The role
16 of transportation and processing infrastructure in developing markets
17 for such material for both clean energy and value-added products shall
18 be included in the exploration. The college shall coordinate with
19 Washington State University efforts to identify what new biological,
20 chemical, and engineering technologies are emerging for converting
21 forest biomass to clean and efficient energy.

22 (b) Recommendations for the college's northwest environmental forum
23 for retaining the highest valued working forest lands at risk of
24 conversion to nonforest uses. These recommendations should include an
25 examination of means to enhance biodiversity through strategic
26 retention of certain lands, as well as economic incentives for
27 landowners to retain lands as working forests and provide ecosystem
28 services. The recommendations shall consider the health and value of
29 the forest lands, the rate of loss of working forest lands in the area,
30 the risk to timber processing infrastructure from continued loss of
31 working forest lands, and the multiple benefits derived from retaining
32 working forest lands. The recommendations shall prioritize forest
33 lands in the Cascade foothills, which include the area generally
34 encompassing the nonurbanized lands within the Cascade mountain range
35 and drainages lying between three hundred and three thousand feet above
36 mean sea level, and located within Whatcom, Skagit, Snohomish, King,
37 Pierce, Thurston, and Lewis counties.

1 (20) \$25,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$25,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for Chelan county, as the chair of
4 the Stemilt partnership, to perform the following:

5 (a) Work with private and public land management entities to
6 identify and evaluate land ownership possibilities;

7 (b) Allocate up to \$10,000 to the department of fish and wildlife
8 to perform technical studies, baseline assessments, environmental
9 review, due diligence, and similar real estate evaluations; and

10 (c) Implement real estate transactions based on the results of the
11 studies.

12 (21) \$15,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$15,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for health benefits to Washington
15 conservation corps employees.

16 (22) \$300,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$300,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for staff support for the natural
19 heritage program to integrate, analyze, and provide bird area
20 information, and for state designations and mapping support, among
21 other activities.

22 (23) \$48,000 of the resource management cost account--state
23 appropriation is provided solely to implement Second Substitute House
24 Bill No. 2220 (shellfish). The department shall participate in a
25 shellfish aquaculture regulatory committee, convened by the department
26 of ecology. If the bill is not enacted by June 30, 2007, the amount
27 provided in this subsection shall lapse.

28 (24) \$150,000 of the general fund--private/local appropriation is
29 provided solely for the implementation of Substitute Senate Bill No.
30 5445 (cost-reimbursement agreements). If the bill is not enacted by
31 June 30, 2007, the amount provided in this subsection shall lapse.

32 (25) \$191,000 of the aquatic lands enhancement account--state
33 appropriation is provided solely for the department to coordinate with
34 the Puget Sound partnership to complete a final habitat conservation
35 plan for state-owned aquatic lands and an environmental impact
36 statement by June 2009.

37 (26) \$251,000 of the general fund--state appropriation for fiscal
38 year 2009 is provided solely for implementation of Engrossed Second

1 Substitute House Bill No. 2844 (urban forestry). If the bill is not
2 enacted by June 30, 2008, the amount provided in this subsection shall
3 lapse.

4 (27) \$80,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely to complete maps of lower Hood Canal,
6 including subsurface geologic layers, lithology, digital layers, and
7 maps to identify liquifiable sediments for hazard mitigation. The
8 department shall provide a report to the appropriate committees of the
9 legislature on maps that were produced by December 1, 2008.

10 (28) As part of its 2009-11 biennial budget request, the department
11 shall submit a report detailing the methodology for determining the
12 value of payment in lieu of taxes as provided in RCW 79.70.130. At a
13 minimum, the report will show the number of acres subject to the
14 payment in lieu of taxes, the tax rates assumed by each affected
15 county, and the resulting value of the state general fund obligation.

16 (29) \$200,000 of the general fund--state appropriation for fiscal
17 year 2009 is provided solely to supplement other available funds for an
18 analysis of whether forest practices rules (including rules for harvest
19 on potentially unstable slopes, road construction and maintenance, and
20 post-harvest slash treatment) effectively protect public resources and
21 public safety from landslides, and other storm-related impacts. The
22 analysis is to be accomplished using the forest practices board
23 adaptive management process. The cooperative monitoring, evaluation,
24 and research (CMER) committee of the adaptive management program shall
25 submit a report of its preliminary analysis and conclusions to the
26 appropriate committees of the legislature by December 1, 2008. The
27 forest practices board shall submit a complete report of the CMER study
28 on the effectiveness of current prescriptions and practices by June 30,
29 2009. This amount is ongoing solely to make improvements to the
30 state's geological survey.

31 (30) \$26,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$71,000 of the general fund--state appropriation for
33 fiscal year 2009 are provided solely to implement Substitute House Bill
34 No. 2472 (recreational opportunities).

35 **Sec. 1205.** 2009 c 4 s 311 (uncodified) is amended to read as
36 follows:

1 **FOR THE PUGET SOUND PARTNERSHIP**

2	General Fund--State Appropriation (FY 2008)	\$370,000
3	General Fund--State Appropriation (FY 2009)	\$560,000
4	General Fund--Federal Appropriation	\$2,655,000
5	General Fund--Private/Local Appropriation	\$2,500,000
6	Aquatic Lands Enhancement Account--State Appropriation	\$500,000
7	Water Quality Account--State Appropriation (FY 2008)	\$3,660,000
8	Water Quality Account--State Appropriation (FY 2009)	(\$4,098,000)
9		<u>\$3,898,000</u>
10	State Toxics Account--State Appropriation	(\$1,510,000)
11		<u>\$1,710,000</u>
12	TOTAL APPROPRIATION	\$15,853,000

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

15 (1) \$600,000 of the water quality account--state appropriation for
16 fiscal year 2008, ~~(\$1,400,000)~~ \$1,200,000 of the water quality
17 account--state appropriation for fiscal year 2009, and \$2,500,000 of
18 the general fund--private/local appropriation are provided solely for
19 the education of citizens through attracting and utilizing volunteers
20 to engage in activities that result in environmental benefits.

21 (2) \$2,208,000 of the water quality account--state appropriation
22 for fiscal year 2008, \$2,209,000 of the water quality account--state
23 appropriation for fiscal year 2009, \$370,000 of the general fund--state
24 appropriation for fiscal year 2008, \$560,000 of the general fund--state
25 appropriation for fiscal year 2009, and \$1,155,000 of the general
26 fund--federal appropriation are provided solely to implement Substitute
27 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
28 enacted by June 30, 2007, then \$2,208,000 of the water quality
29 account--state appropriation for fiscal year 2008, \$2,209,000 of the
30 water quality account--state appropriation for fiscal year 2009,
31 \$1,155,000 of the general fund--federal appropriation, \$500,000 of the
32 general fund--state appropriation for fiscal year 2008, and \$500,000 of
33 the general fund--state appropriation for fiscal year 2009 are
34 appropriated to the office of the governor for operation of the Puget
35 Sound action team.

36 (3) To implement the 2007-09 Puget Sound biennial plan required by
37 Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership),
38 funding is provided solely for Puget Sound recovery activities in the

1 budgets of selected agencies and institutions of higher education,
2 including the department of agriculture, department of community, trade
3 and economic development, conservation commission, department of
4 ecology, department of fish and wildlife, department of health,
5 interagency committee for outdoor recreation, department of natural
6 resources, state parks and recreation commission, the Puget Sound
7 partnership, University of Washington, and Washington State University.
8 During the 2007-09 biennium, moneys are provided solely for these
9 agencies and institutions of higher education as provided for in LEAP
10 document PSAT-2007.

11 (4) \$305,000 of the water quality account--state appropriation for
12 fiscal year 2009 (~~(and \$305,000 of the general fund federal~~
13 ~~appropriation are))~~ is provided solely for an outcome monitoring
14 program first for Puget Sound and Washington's coastline and then
15 across the remaining salmon recovery regions across the state.

16 (5) \$852,000 of the water quality account--state appropriation for
17 fiscal year 2008, \$231,000 of the water quality account--state
18 appropriation for fiscal year 2009, and \$900,000 of the state toxics
19 control account appropriation are provided solely for development and
20 implementation of the 2020 action agenda.

(End of part)

PART XIII
TRANSPORTATION

Sec. 1301. 2009 c 4 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund--State Appropriation (FY 2008)	\$38,968,000
General Fund--State Appropriation (FY 2009)	(\$28,334,000)
	<u>\$32,288,000</u>
General Fund--Federal Appropriation	\$5,629,000
General Fund--Private/Local Appropriation	\$1,223,000
Death Investigations Account--State Appropriation	(\$5,680,000)
	<u>\$5,681,000</u>
Public Safety and Education Account--State Appropriation (FY 2008)	\$1,476,000
Public Safety and Education Account--State Appropriation (FY 2009)	\$2,687,000
Enhanced 911 Account--State Appropriation	\$572,000
County Criminal Justice Assistance Account--State Appropriation	\$3,133,000
Municipal Criminal Justice Assistance Account--State Appropriation	\$1,222,000
Fire Service Trust Account--State Appropriation	\$131,000
Disaster Response Account--State Appropriation	\$2,000
Fire Service Training Account--State Appropriation	\$8,010,000
Aquatic Invasive Species Enforcement Account--State Appropriation	\$54,000
State Toxics Control Account--State Appropriation	\$495,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2008)	\$3,007,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2009)	\$4,429,000
Fingerprint Identification Account--State Appropriation	\$10,057,000
TOTAL APPROPRIATION	(\$115,109,000)
	<u>\$119,064,000</u>

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

3 (1) \$233,000 of the general fund--state appropriation for fiscal
4 year 2008, \$282,000 of the general fund--state appropriation for fiscal
5 year 2009, and \$357,000 of the fingerprint identification
6 account--state appropriation are provided solely for workload
7 associated with implementation of the federal Adam Walsh Act -- the
8 Children's Safety and Violent Crime Reduction Act of 2006.

9 (2) In accordance with RCW 10.97.100 and chapter 43.43 RCW, the
10 Washington state patrol is authorized to perform and charge fees for
11 criminal history and background checks for state and local agencies,
12 and nonprofit and other private entities and disseminate the records.
13 It is the policy of the state of Washington that the fees cover, as
14 nearly as practicable, the direct and indirect costs of performing
15 criminal history and background checks activities. Pursuant to RCW
16 43.135.055, during the 2007-2009 fiscal biennium, the Washington state
17 patrol may increase fees in excess of the fiscal growth factor if the
18 increases are necessary to fully fund the direct and indirect cost of
19 the criminal history and background check activities.

20 (3) \$200,000 of the fire service training account--state
21 appropriation is provided solely for two FTEs in the office of the
22 state director of fire protection to exclusively review K-12
23 construction documents for fire and life safety in accordance with the
24 state building code. It is the intent of this appropriation to provide
25 these services only to those districts that are located in counties
26 without qualified review capabilities.

27 (4) \$350,000 of the fire service training account--state
28 appropriation is provided solely to implement the provisions of Senate
29 Bill No. 6119 (firefighter apprenticeship training program). If the
30 bill is not enacted by June 30, 2007, the amounts provided in this
31 subsection shall lapse.

32 (5) \$200,000 of the general fund--state appropriation for fiscal
33 year 2009 is provided solely for efforts to reduce the number of
34 convicted offender biological samples awaiting DNA analysis.

35 (6) Within the appropriations in this section, specific funding is

1 provided to implement Second Substitute Senate Bill No. 5642 (cigarette
2 ignition).

(End of part)

PART XIV
EDUCATION

Sec. 1401. 2009 c 4 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2008)	\$36,444,000
General Fund--State Appropriation (FY 2009)	(\$38,605,000)
	<u>\$38,708,000</u>
General Fund--Federal Appropriation	\$77,182,000
TOTAL APPROPRIATION	(\$152,231,000)
	<u>\$152,334,000</u>

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

(1) A maximum of \$11,920,000 of the general fund--state appropriation for fiscal year 2008 and a maximum of ~~(\$12,019,000)~~ \$10,152,000 of the general fund--state appropriation for fiscal year 2009 are for the operation and expenses of the office of the superintendent of public instruction. 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. The students selected for the award must demonstrate understanding through completion of at least one of the classroom-based civics assessment models developed by the superintendent of public instruction, and through leadership in the civic life of their communities. The superintendent shall select two students from eastern Washington and two students from western Washington to receive the award, and shall notify the governor and legislature of the names of the recipients.

(2) \$1,080,000 of the general fund--state appropriation for fiscal year 2008 and \$815,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Within the amounts provided, the board shall implement the provisions of Second Substitute House Bill No. 1906 (improving mathematics and science education) for which it is responsible,

1 including: (a) Develop a comprehensive set of recommendations for an
2 accountability system; (b) adopt high school graduation requirements
3 aligned with international performance standards in mathematics and
4 science and, in conjunction with the office of the superintendent of
5 public instruction, identify no more than three curricula that are
6 aligned with these standards; and (c) review all requirements related
7 to the high school diploma as directed by section 405, chapter 263,
8 Laws of 2006.

9 (3) \$4,779,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$6,248,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely to the professional educator
12 standards board for the following:

13 (a) \$930,000 in fiscal year 2008 and (~~(\$1,257,000)~~) \$1,284,000 in
14 fiscal year 2009 are for the operation and expenses of the Washington
15 professional educator standards board, including administering the
16 alternative routes to certification program, pipeline for paraeducators
17 conditional scholarship loan program, and the retooling to teach math
18 conditional loan program. Within the amounts provided in this
19 subsection (3)(a), the professional educator standards board shall:
20 (i) Revise the teacher mathematics endorsement competencies and
21 alignment of teacher tests to the updated competencies; (ii) review
22 teacher preparation requirements in cultural understanding and make
23 recommendations for strengthening these standards; (iii) create a new
24 professional level teacher assessment; (iv) expand the alternative
25 routes to teacher certification program for business professionals and
26 instructional assistants who will teach math and science; (v) revise
27 requirements for college and university teacher preparation programs to
28 match a new knowledge- and skill-based performance system; and (vi)
29 test implementation of a revised teacher preparation program approach
30 that is classroom experience-intensive and performance-based;

31 (b) \$3,269,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$3,966,000 of the general fund-state appropriation for
33 fiscal year 2009 are for conditional scholarship loans and mentor
34 stipends provided through the alternative routes to certification
35 program administered by the professional educator standards board. Of
36 the amounts provided in this subsection (3)(b):

37 (i) \$500,000 each year is provided solely for conditional

1 scholarships to candidates seeking an endorsement in special education,
2 math, science, or bilingual education;

3 (ii) \$2,210,000 for fiscal year 2008 and \$3,230,000 for fiscal year
4 2009 are for the expansion of conditional scholarship loans and mentor
5 stipends for individuals enrolled in alternative route state
6 partnership programs and seeking endorsements in math, science, special
7 education or bilingual education;

8 (iii) Remaining amounts in this subsection (3)(b) shall be used to
9 continue existing alternative routes to certification programs; and

10 (iv) Candidates seeking math and science endorsements under (i) and
11 (ii) of this subsection (3)(b) shall receive priority for funding;

12 (c) \$236,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$231,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for the recruiting Washington
15 teachers program established in Second Substitute Senate Bill No. 5955
16 (educator preparation, professional development, and compensation);

17 (d) \$100,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$110,000 of the general fund--state appropriation for
19 fiscal year 2009 provided in this subsection (3) are for \$4,000
20 conditional loan stipends for paraeducators participating in the
21 pipeline for paraeducators established in Second Substitute House Bill
22 No. 1906 (improving mathematics and science education); and

23 (e) \$244,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$244,000 of the general fund--state appropriation for
25 fiscal year 2009 are for conditional stipends for certificated teachers
26 pursuing a mathematics or science endorsement under the retooling to
27 teach mathematics or science program established in Second Substitute
28 House Bill No. 1906 (improving mathematics and science education). The
29 conditional stipends shall be for endorsement exam fees as well as
30 stipends for teachers who must also complete coursework.

31 (4) Within the amounts appropriated in this section, funding is for
32 the professional educator standards board (PESB) to convene a work
33 group to develop recommendations for increasing teacher knowledge,
34 skills, and competencies to address the needs of English language
35 learner students, pursuant to Second Substitute Senate Bill No. 6673
36 (student learning opportunities).

37 (5) \$425,000 of the general fund--state appropriation for fiscal
38 year 2008 and \$1,975,000 of the general fund--state appropriation for

1 fiscal year 2009 are for replacement of the apportionment system, which
2 includes the processes that collect school district budget and
3 expenditure information, staffing characteristics, and the student
4 enrollments that drive the funding process.

5 (6) Within the amounts appropriated in this section, funding is for
6 direct services and support to schools around an integrated,
7 interdisciplinary approach to instruction in conservation, natural
8 resources, sustainability, and human adaptation to the environment.
9 Specific integration efforts will focus on science, math, and the
10 social sciences. Integration between basic education and career and
11 technical education, particularly agricultural and natural sciences
12 education, is to be a major element.

13 (7) Within the amounts appropriated in this section, funding is for
14 the creation of a statewide data base of longitudinal student
15 information. This amount is conditioned on the department satisfying
16 the requirements in section 902 of this act.

17 (8) Within the amounts appropriated in this section, funding is for
18 comprehensive cultural competence and anti-bias education programs for
19 educators and students. The office of superintendent of public
20 instruction shall administer grants to school districts with the
21 assistance and input of groups such as the anti-defamation league and
22 the Jewish federation of Seattle.

23 (9) Within the amounts appropriated in this section, funding is to
24 promote the financial literacy of students. The effort will be
25 coordinated through the financial literacy public-private partnership.

26 (10) Within the amounts appropriated in this section, funding is
27 for the implementation of Engrossed Second Substitute Senate Bill No.
28 5843 (regarding educational data and data systems).

29 (11) Within the amounts appropriated in this section, funding is
30 for the implementation of Substitute House Bill No. 1052 (legislative
31 youth advisory council). If the bill is not enacted by June 30, 2007,
32 the amounts provided in this subsection shall lapse.

33 (12) Within the amounts appropriated in this section, funding is
34 for the implementation of Engrossed Second Substitute House Bill No.
35 1422 (children and families of incarcerated parents).

36 (13) Within the amounts appropriated in this section, funding is
37 for the implementation of Second Substitute Senate Bill No. 5098

1 (Washington college bound scholarship). If the bill is not enacted by
2 June 30, 2007, the amounts provided in this subsection shall lapse.

3 (14) Within the amounts appropriated in this section, funding is
4 for the implementation of Engrossed Substitute Senate Bill No. 5297
5 (regarding providing medically and scientifically accurate sexual
6 health education in schools).

7 (15) Within the amounts appropriated in this section, funding is
8 for a program to recognize the work of outstanding classified staff in
9 school districts throughout the state.

10 (16) Within the amounts appropriated in this section, funding is
11 for a full-time director of skills centers within the office of the
12 superintendent of public instruction.

13 (17) Within the amounts appropriated in this section, funding is
14 for the office of the superintendent of public instruction to contract
15 with the northwest educational research laboratory (NWREL) to conduct
16 two educational studies. Specifically, NWREL shall:

17 (a) Conduct a study regarding teacher preparation, training, and
18 coordinated instructional support strategies for English language
19 learners, as outlined in Engrossed Second Substitute Senate Bill No.
20 5841 (enhancing student learning opportunities and achievement). An
21 interim report is due November 1, 2008, and the final report is due
22 December 1, 2009. Both reports shall be delivered to the governor, the
23 office of the superintendent of public instruction, and the appropriate
24 early learning, education, and fiscal committees of the legislature;
25 and

26 (b) Conduct a study of the effectiveness of the K-3 demonstration
27 projects as outlined in Engrossed Second Substitute Senate Bill No.
28 5841 (enhancing student learning opportunities and achievement). An
29 interim report is due November 1, 2008, and the final report is due
30 December 1, 2009. Both reports shall be delivered to the governor, the
31 office of the superintendent of public instruction, and the appropriate
32 early learning, education, and fiscal committees of the legislature.

33 (18) Within the amounts appropriated in this section, funding is
34 for the office of the superintendent of public instruction to contract
35 with Washington State University social and economic sciences research
36 center (WSU-SESRC) to conduct to educational research studies. The
37 WSU-SESRC shall:

1 (a) Conduct a study which reviews chapter 207, Laws of 2002
2 (bullying in schools), evaluate the outcomes resulting from the
3 legislation, and to make recommendations for continued improvement.
4 The study shall, at a minimum, determine: (i) Whether the policies
5 have been developed and implemented in all elementary, middle, and high
6 schools; (ii) whether there has been any measurable improvement in the
7 safety and civility of schools' climate and environment as a result of
8 the legislation; (iii) whether there are still issues that need to be
9 addressed in light of the original intent of the legislation; and (iv)
10 recommended actions to be taken at the school, district, and state
11 level to address the identified issues. Additionally, WSU-SESRC shall
12 research and identify effective programs and the components of
13 effective programs. A report shall be submitted to the education
14 committees of the legislature and the office of the superintendent of
15 public instruction by September 1, 2008.

16 (b) Conduct an evaluation of the mathematics and science
17 instructional coach program as described in Second Substitute House
18 Bill No. 1906 (improving mathematics and science education). Findings
19 shall include an evaluation of the coach development institute,
20 coaching support seminars, and other coach support activities;
21 recommendations with regard to the characteristics required of the
22 coaches; identification of changes in teacher instruction related to
23 coaching activities; and identification of the satisfaction level with
24 coaching activities as experienced by classroom teachers and
25 administrators. An interim report is due November 1, 2008. The final
26 report is due December 1, 2009. Both the interim and final report
27 shall be presented to the governor, the office of the superintendent of
28 public instruction, and the education and fiscal committees of the
29 legislature.

30 (19) Within the amounts appropriated in this section, funding is
31 for additional costs incurred by the state board of education in
32 reviewing proposed math standards and curriculum.

33 (20) During the 2007-09 biennium, to the maximum extent possible,
34 in adopting new agency rules or making any changes to existing rules or
35 policies related to the fiscal provisions in the administration of part
36 V of this act, the office of the superintendent of public instruction
37 shall attempt to request approval through the normal legislative budget
38 process.

1 (21) Within the amounts appropriated in this section, funding is
2 for a comprehensive analysis of math and science teacher supply and
3 demand issues by the professional educator standards board. By
4 December 1, 2008, the professional educator standards board shall
5 submit a final report to the governor and appropriate policy and fiscal
6 committees of the legislature, that includes, but is not limited to:
7 (a) Specific information on the current number of math and science
8 teachers assigned to teach mathematics and science both with and
9 without appropriate certification in those subjects by region and
10 statewide; (b) projected demand information by detailing the number of
11 K-12 mathematics and science teachers needed by the 2010-11 school year
12 by region and statewide; (c) specific recommendations on how the demand
13 will be met through recruitment programs, alternative route
14 certification programs, potential financial incentives, retention
15 strategies, and other efforts; and (d) identification of strategies,
16 based on best practices, to improve the rigor and productivity of
17 state-funded mathematics and science teacher preparation programs. As
18 part of the final report, the professional educator standards board and
19 the Washington state institute for public policy shall provide
20 information from a study of differential pay for teachers in high-
21 demand subject areas such as mathematics and science, including the
22 design, successes, and limitations of differential pay programs in
23 other states. In order for the professional educator standards board
24 to quantify demand, each school district shall provide to the board, by
25 a date and in a format specified by the board, the number of teachers
26 assigned to teach mathematics and science, both with and without
27 appropriate certification and endorsement in those subjects, and the
28 number of mathematics and science teaching vacancies needing to be
29 filled, and the board shall include this data, by district, in its
30 analysis.

31 (22) Within the amounts appropriated in this section, funding is
32 for the implementation of Substitute Senate Bill No. 6556 (anaphylactic
33 policy).

34 (23) Within the amounts appropriated in this section, funding is
35 for the implementation of Substitute Senate Bill No. 6742 (guidelines
36 for students with autism) and Substitute Senate Bill No. 6743
37 (training for students with autism).

1 (24) Within the appropriations in this section, specific funding is
2 provided for the implementation of Second Engrossed Substitute Senate
3 Bill No. 5100 (health insurance information for students).

4 (25) Within the amounts appropriated in this section, funding is
5 for implementation of Second Substitute House Bill No. 2722
6 (achievement gap for African-American students). The center for the
7 improvement of student learning will convene an advisory committee to
8 conduct a detailed analysis of the achievement gap for African-American
9 students; recommend a comprehensive plan for closing the gap pursuant
10 to goals under the federal no child left behind act for all groups of
11 students to meet academic standards by 2014; and identify performance
12 measures to monitor adequate yearly progress. A study update shall be
13 submitted by September 15, 2008, and the committee's final report shall
14 be submitted by December 30, 2008, to the superintendent of public
15 instruction, the state board of education, the governor, the P-20
16 council, the basic education finance task force, and the education
17 committees of the legislature.

18 (26) Within the appropriations in this section specific funding is
19 provided to implement Second Substitute House Bill No. 2598 (online
20 mathematics curriculum).

21 (27) Within the appropriations in this section specific funding is
22 provided to implement Second Substitute House Bill No. 2635 (school
23 district boundaries and organization).

24 (28) Within the appropriations in this section specific funding is
25 provided to implement Second Substitute House Bill No. 3129 (online
26 learning programs for high school students to earn college credit).

27 (29) Within the amounts appropriated in this section, funding is
28 for the office of superintendent of public instruction to assign at
29 least one full-time equivalent staff position to serve as the world
30 language supervisor.

31 (30) Within the amounts appropriated in this section, funding is
32 for a corps of nurses located at educational service districts, as
33 determined by the superintendent of public instruction, to be
34 dispatched to the most needy schools to provide direct care to
35 students, health education, and training for school staff.

36 (31) Within the amounts appropriated in this section, funding is
37 for the school safety center in the office of the superintendent of
38 public instruction subject to the following conditions and limitations:

1 (a) The safety center shall: Disseminate successful models of
2 school safety plans and cooperative efforts; provide assistance to
3 schools to establish a comprehensive safe school plan; select models of
4 cooperative efforts that have been proven successful; act as an
5 information dissemination and resource center when an incident occurs
6 in a school district either in Washington or in another state;
7 coordinate activities relating to school safety; review and approve
8 manuals and curricula used for school safety models and training; and
9 develop and maintain a school safety information web site.

10 (b) The school safety center advisory committee shall develop a
11 training program, using the best practices in school safety, for all
12 school safety personnel.

13 (32) Within the amounts appropriated in this section, funding is
14 for a school safety training program provided by the criminal justice
15 training commission. The commission, in collaboration with the school
16 safety center advisory committee, shall provide the school safety
17 training for all school administrators and school safety personnel,
18 including school safety personnel hired after the effective date of
19 this section.

20 (33) Within the amounts appropriated in this section, funding is
21 for the safety center advisory committee to develop and distribute a
22 pamphlet to promote internet safety for children, particularly in
23 grades seven through twelve. The pamphlet shall be posted on the
24 superintendent of public instruction's web site. To the extent
25 possible, the pamphlet shall be distributed in schools throughout the
26 state and in other areas accessible to youth, including but not limited
27 to libraries and community centers.

28 (34) \$9,670,000 of the general fund--federal appropriation is
29 provided for safe and drug free schools and communities grants for drug
30 and violence prevention activities and strategies.

31 (35) Within the amounts appropriated in this section, funding is
32 for a nonviolence and leadership training program provided by the
33 institute for community leadership. The program shall provide a
34 request for proposal process, with up to 80 percent funding, for
35 nonviolence leadership workshops serving at least 12 school districts
36 with direct programming in 36 elementary, middle, and high schools
37 throughout Washington state.

1 (36) Within the amounts appropriated in this section, funding is
2 for a pilot youth suicide prevention and information program. The
3 office of superintendent of public instruction will work with selected
4 school districts and community agencies in identifying effective
5 strategies for preventing youth suicide.

6 (37) Within the amounts appropriated in this section, funding is
7 for programs to improve safety and emergency preparedness and planning
8 in public schools, as generally described in Substitute Senate Bill No.
9 5097. The superintendent of public instruction shall design and
10 implement the grant program in consultation with the educational
11 service districts, the school safety advisory committee, and the
12 Washington association of sheriffs and police chiefs. The funding
13 shall support grants to school districts for the development and
14 updating of comprehensive safe school plans, school safety training,
15 and the conducting of safety-related drills. As a condition of
16 receiving these funds, school districts must ensure that schools (a)
17 conduct at least one lockdown and one shelter in place safety drill
18 each school year, and (b) send updated school mapping database
19 information on an annual basis to the Washington association of
20 sheriffs and police chiefs.

21 (38) Within the amounts appropriated in this section, funding is
22 for the Washington state school directors' association to mediate and
23 facilitate a school disciplinary action task force to review and make
24 recommendations on a model policy regarding the use of physical force
25 in schools. The model policy shall be submitted to the appropriate
26 policy committees of the legislature by November 1, 2008.

27 (39) Within the amounts appropriated in this section, funding is
28 for K-20 telecommunications network technical support in the K-12
29 sector to prevent system failures and avoid interruptions in school
30 utilization of the data processing and video-conferencing capabilities
31 of the network. These funds may be used to purchase engineering and
32 advanced technical support for the network.

33 (40) The office of the superintendent of public instruction shall
34 coordinate, in collaboration with educational service districts, a
35 system of outreach to school districts not currently maximizing their
36 eligibility for federal e-rate funding through the schools and
37 libraries program administered by the federal communications
38 commission. By December 15, 2008, the office of the superintendent of

1 public instruction shall issue a report to the fiscal committees of the
2 legislature identifying school districts that were eligible but did not
3 apply for e-rate funding for the last two years, and an estimate of the
4 amounts for which they were eligible in those years. The report shall
5 also include recommendations for following-up on the findings relative
6 to the e-rate program contained in the state auditor's performance
7 audit of educational service districts completed September, 2007.

8 (41) Within the amounts appropriated in this section, funding is to
9 expand the special services pilot project to include up to seven
10 participating districts. The office of the superintendent of public
11 instruction shall allocate these funds to the district or districts
12 participating in the pilot program according to the provisions of RCW
13 28A.630.016.

14 (42) Within the amounts appropriated in this section, funding is
15 for operation of the Cispus environmental learning center.

16 (43) Within the amounts appropriated in this section, funding is
17 for vocational student leadership organizations.

18 (44) Within the amounts appropriated in this section, funding is
19 for the Washington civil liberties education program.

20 (45) Within the amounts appropriated in this section, funding is
21 for the Washington state achievers scholarship program. The funds
22 shall be used to support community involvement officers that recruit,
23 train, and match community volunteer mentors with students selected as
24 achievers scholars.

25 (46) Within the amounts appropriated in this section, funding is
26 for the Lorraine Wojahn dyslexia pilot reading program in up to five
27 school districts.

28 (47) Within the amounts appropriated in this section, funding is
29 for developing and disseminating curriculum and other materials
30 documenting women's role in World War II.

31 (48) Within the amounts appropriated in this section, funding is
32 for incentive grants for districts and pilot projects to develop
33 preapprenticeship programs. Incentive grant awards up to \$10,000 each
34 shall be used to support the program's design, school/business/labor
35 agreement negotiations, and recruiting high school students for
36 preapprenticeship programs in the building trades and crafts.

37 (49) Within the amounts appropriated in this section, funding is
38 for the dissemination of the Navigation 101 curriculum to all

1 districts, including disseminating electronic student planning tools
2 and software for analyzing the impact of the implementation of
3 Navigation 101 on student performance, and grants to at least one
4 hundred school districts each year for the implementation of the
5 Navigation 101 program. The implementation grants will be limited to
6 a maximum of two years and the school districts selected shall
7 represent various regions of the state and reflect differences in
8 school district size and enrollment characteristics.

9 (50) Within the amounts appropriated in this section, funding is
10 for the enhancement of civics education. Of this amount, \$25,000 each
11 year is provided solely for competitive grants to school districts for
12 curriculum alignment, development of innovative civics projects, and
13 other activities that support the civics assessment established in
14 chapter 113, Laws of 2006.

15 (51) Within the amounts appropriated in this section, funding is
16 for the implementation of Second Substitute House Bill No. 1573
17 (authorizing a statewide program for comprehensive dropout prevention,
18 intervention, and retrieval).

19 (52) Within the amounts appropriated in this section, funding is
20 for the communities in school program in Pierce county.

21 (53) Within the amounts appropriated in this section, funding is
22 for support and expansion of the mentoring advanced placement program
23 in current operation in southwest Washington.

24 (54) Within the amounts appropriated in this section, funding is
25 for program initiatives to address the educational needs of Latino
26 students and families. The office of the superintendent of public
27 instruction shall contract with the Seattle community coalition of
28 compaña quetzal to provide for three initiatives: (a) Early childhood
29 education; (b) parent leadership training; and (c) high school success
30 and college preparation programs. Campana quetzal shall report to the
31 office of the superintendent of public instruction by June 30, 2009,
32 regarding impact of the programs on addressing the academic achievement
33 gap, including high school drop-out rates and college readiness rates,
34 for Latino students.

35 (55) Within the amounts appropriated in this section, funding is
36 for implementation of Second Substitute House Bill No. 2870
37 (professional development for instructional assistants). If the bill

1 is not enacted by June 30, 2008, the amount provided in this subsection
2 shall lapse.

3 (56) Within the amounts appropriated in this section, funding is
4 for a pilot project to encourage bilingual high school students to
5 pursue public school teaching as a profession. The office of the
6 superintendent of public instruction shall contract with the Latino/a
7 educational achievement project (LEAP) to work with school districts to
8 identify and mentor not fewer than fifty bilingual students in their
9 junior year of high school, encouraging them to become bilingual
10 instructors in schools with high English language learner populations.
11 Students shall be mentored by bilingual teachers and complete a
12 curriculum developed and approved by the participating districts.

13 (57) In addition to other reductions, the reduced appropriations in
14 this section reflect an additional (~~(\$225,000)~~) \$122,000 reduction in
15 administrative costs required by Engrossed Substitute Senate Bill No.
16 5460 (reducing state government administrative costs). These
17 administrative reductions shall be achieved, to the greatest extent
18 possible, by reducing those administrative costs that do not affect
19 direct client services or direct service delivery or programs.

20 **Sec. 1402.** 2009 c 4 s 502 (uncodified) is amended to read as
21 follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
23 **APPORTIONMENT**

24	General Fund--State Appropriation (FY 2008)	\$4,436,719,000
25	General Fund--State Appropriation (FY 2009)	((\$4,477,998,000))
26		<u>\$4,510,419,000</u>
27	Education Legacy Trust Account--State	
28	Appropriation	((\$9,373,000))
29		<u>\$9,387,000</u>
30	Pension Funding Stabilization Account Appropriation	\$341,624,000
31	TOTAL APPROPRIATION	((\$9,265,714,000))
32		<u>\$9,298,149,000</u>

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

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

1 (2) Allocations for certificated staff salaries for the 2007-08 and
2 2008-09 school years shall be determined using formula-generated staff
3 units calculated pursuant to this subsection. Staff allocations for
4 small school enrollments in (e) through (g) of this subsection shall be
5 reduced for vocational full-time equivalent enrollments. Staff
6 allocations for small school enrollments in grades K-6 shall be the
7 greater of that generated under (a) of this subsection, or under (d)
8 and (e) of this subsection. Certificated staffing allocations shall be
9 as follows:

10 (a) On the basis of each 1,000 average annual full-time equivalent
11 enrollments, excluding full-time equivalent enrollment otherwise
12 recognized for certificated staff unit allocations under (d) through
13 (g) of this subsection:

14 (i) Four certificated administrative staff units per thousand full-
15 time equivalent students in grades K-12;

16 (ii) Forty-nine certificated instructional staff units per thousand
17 full-time equivalent students in grades K-3;

18 (iii) Forty-six certificated instructional staff units per thousand
19 full-time equivalent students in grades 4-12; and

20 (iv) An additional 4.2 certificated instructional staff units for
21 grades K-3 and an additional 7.2 certificated instructional staff units
22 for grade 4. Any funds allocated for the additional certificated units
23 provided in this subsection (iv) shall not be considered as basic
24 education funding;

25 (A) Funds provided under this subsection (2)(a)(iv) in excess of
26 the amount required to maintain the statutory minimum ratio established
27 under RCW 28A.150.260(2)(b) shall be allocated only if the district
28 documents an actual ratio in grades K-4 equal to or greater than 53.2
29 certificated instructional staff per thousand full-time equivalent
30 students. For any school district documenting a lower certificated
31 instructional staff ratio, the allocation shall be based on the
32 district's actual grades K-4 certificated instructional staff ratio
33 achieved in that school year, or the statutory minimum ratio
34 established under RCW 28A.150.260(2)(b), if greater;

35 (B) Districts at or above 51.0 certificated instructional staff per
36 one thousand full-time equivalent students in grades K-4 may dedicate
37 up to 1.3 of the 53.2 funding ratio to employ additional classified
38 instructional assistants assigned to basic education classrooms in

1 grades K-4. For purposes of documenting a district's staff ratio under
2 this section, funds used by the district to employ additional
3 classified instructional assistants shall be converted to a
4 certificated staff equivalent and added to the district's actual
5 certificated instructional staff ratio. Additional classified
6 instructional assistants, for the purposes of this subsection, shall be
7 determined using the 1989-90 school year as the base year;

8 (C) Any district maintaining a ratio in grades K-4 equal to or
9 greater than 53.2 certificated instructional staff per thousand full-
10 time equivalent students may use allocations generated under this
11 subsection (2)(a)(iv) in excess of that required to maintain the
12 minimum ratio established under RCW 28A.150.260(2)(b) to employ
13 additional basic education certificated instructional staff or
14 classified instructional assistants in grades 5-6. Funds allocated
15 under this subsection (2)(a)(iv) shall only be expended to reduce class
16 size in grades K-6. No more than 1.3 of the certificated instructional
17 funding ratio amount may be expended for provision of classified
18 instructional assistants;

19 (b) For school districts with a minimum enrollment of 250 full-time
20 equivalent students whose full-time equivalent student enrollment count
21 in a given month exceeds the first of the month full-time equivalent
22 enrollment count by 5 percent, an additional state allocation of 110
23 percent of the share that such increased enrollment would have
24 generated had such additional full-time equivalent students been
25 included in the normal enrollment count for that particular month;

26 (c)(i) On the basis of full-time equivalent enrollment in:

27 (A) Vocational education programs approved by the superintendent of
28 public instruction, a maximum of 0.92 certificated instructional staff
29 units and 0.08 certificated administrative staff units for each 19.5
30 full-time equivalent vocational students; and

31 (B) Skills center programs meeting the standards for skills center
32 funding established in January 1999 by the superintendent of public
33 instruction with a waiver allowed for skills centers in current
34 operation that are not meeting this standard until the 2008-09 school
35 year, 0.92 certificated instructional staff units and 0.08 certificated
36 administrative units for each 16.67 full-time equivalent vocational
37 students;

1 (ii) Vocational full-time equivalent enrollment shall be reported
2 on the same monthly basis as the enrollment for students eligible for
3 basic support, and payments shall be adjusted for reported vocational
4 enrollments on the same monthly basis as those adjustments for
5 enrollment for students eligible for basic support; and

6 (iii) Indirect cost charges by a school district to vocational-
7 secondary programs shall not exceed 15 percent of the combined basic
8 education and vocational enhancement allocations of state funds;

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

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

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

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

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

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

37 (f) For districts operating no more than two high schools with

1 enrollments of less than three hundred average annual full-time
2 equivalent students, for enrollment in grades 9-12 in each such school,
3 other than alternative schools:

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

9 (ii) For all other small high schools under this subsection, nine
10 certificated instructional staff units and one-half of a certificated
11 administrative staff unit for the first sixty average annual full time
12 equivalent students, and additional staff units based on a ratio of
13 0.8732 certificated instructional staff units and 0.1268 certificated
14 administrative staff units per each additional forty-three and one-half
15 average annual full time equivalent students.

16 Units calculated under (g)(ii) of this subsection shall be reduced
17 by certificated staff units at the rate of forty-six certificated
18 instructional staff units and four certificated administrative staff
19 units per thousand vocational full-time equivalent students;

20 (g) For each nonhigh school district having an enrollment of more
21 than seventy annual average full-time equivalent students and less than
22 one hundred eighty students, operating a grades K-8 program or a grades
23 1-8 program, an additional one-half of a certificated instructional
24 staff unit; and

25 (i) For each nonhigh school district having an enrollment of more
26 than fifty annual average full-time equivalent students and less than
27 one hundred eighty students, operating a grades K-6 program or a grades
28 1-6 program, an additional one-half of a certificated instructional
29 staff unit.

30 (3) Allocations for classified salaries for the 2007-08 and 2008-09
31 school years shall be calculated using formula-generated classified
32 staff units determined as follows:

33 (a) For enrollments generating certificated staff unit allocations
34 under subsection (2)(e) through (i) of this section, one classified
35 staff unit for each 2.94 certificated staff units allocated under such
36 subsections;

37 (b) For all other enrollment in grades K-12, including vocational

1 full-time equivalent enrollments, one classified staff unit for each
2 58.75 average annual full-time equivalent students; and

3 (c) For each nonhigh school district with an enrollment of more
4 than fifty annual average full-time equivalent students and less than
5 one hundred eighty students, an additional one-half of a classified
6 staff unit.

7 (4) Fringe benefit allocations shall be calculated at a rate of
8 14.11 percent in the 2007-08 school year and 16.75 percent in the 2008-
9 09 school year for certificated salary allocations provided under
10 subsection (2) of this section, and a rate of 17.04 percent in the
11 2007-08 school year and 18.72 percent in the 2008-09 school year for
12 classified salary allocations provided under subsection (3) of this
13 section.

14 (5) Insurance benefit allocations shall be calculated at the
15 maintenance rate specified in section 504(2) of this act, based on the
16 number of benefit units determined as follows:

17 (a) The number of certificated staff units determined in subsection
18 (2) of this section; and

19 (b) The number of classified staff units determined in subsection
20 (3) of this section multiplied by 1.152. This factor is intended to
21 adjust allocations so that, for the purposes of distributing insurance
22 benefits, full-time equivalent classified employees may be calculated
23 on the basis of 1440 hours of work per year, with no individual
24 employee counted as more than one full-time equivalent.

25 (6)(a) For nonemployee-related costs associated with each
26 certificated staff unit allocated under subsection (2)(a), (b), and (d)
27 through (h) of this section, there shall be provided a maximum of
28 \$9,703 per certificated staff unit in the 2007-08 school year and a
29 maximum of \$10,178 per certificated staff unit in the 2008-09 school
30 year.

31 (b) For nonemployee-related costs associated with each vocational
32 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
33 section, there shall be provided a maximum of \$23,831 per certificated
34 staff unit in the 2007-08 school year and a maximum of \$24,999 per
35 certificated staff unit in the 2008-09 school year.

36 (c) For nonemployee-related costs associated with each vocational
37 certificated staff unit allocated under subsection (2)(c)(i)(B) of this

1 section, there shall be provided a maximum of \$18,489 per certificated
2 staff unit in the 2007-08 school year and a maximum of \$19,395 per
3 certificated staff unit in the 2008-09 school year.

4 (7) Allocations for substitute costs for classroom teachers shall
5 be distributed at a maintenance rate of \$555.20 for the 2007-08 and
6 2008-09 school years per allocated classroom teachers exclusive of
7 salary increase amounts provided in section 504 of this act. Solely
8 for the purposes of this subsection, allocated classroom teachers shall
9 be equal to the number of certificated instructional staff units
10 allocated under subsection (2) of this section, multiplied by the ratio
11 between the number of actual basic education certificated teachers and
12 the number of actual basic education certificated instructional staff
13 reported statewide for the prior school year.

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

23 (9) \$1,870,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$2,421,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely to implement Engrossed Second
26 Substitute House Bill No. 1432 (granting service credit to educational
27 staff associates for nonschool employment).

28 (10) The superintendent may distribute a maximum of (~~(\$16,620,000)~~)
29 \$16,634,000 outside the basic education formula during fiscal years
30 2008 and 2009 as follows:

31 (a) For fire protection for school districts located in a fire
32 protection district as now or hereafter established pursuant to chapter
33 52.04 RCW, a maximum of \$547,000 may be expended in fiscal year 2008
34 and a maximum of \$567,000 may be expended in fiscal year 2009;

35 (b) For summer vocational programs at skills centers, a maximum of
36 \$2,385,000 may be expended for the 2008 fiscal year and a maximum of
37 \$2,385,000 for the 2009 fiscal year. 20 percent of each fiscal year
38 amount may carry over from one year to the next;

1 (c) A maximum of \$393,000 may be expended for school district
2 emergencies;

3 (d) A maximum of \$485,000 each fiscal year may be expended for
4 programs providing skills training for secondary students who are
5 enrolled in extended day school-to-work programs, as approved by the
6 superintendent of public instruction. The funds shall be allocated at
7 a rate not to exceed \$500 per full-time equivalent student enrolled in
8 those programs; and

9 (e) (~~(\$9,373,000)~~) \$9,387,000 of the education legacy trust account
10 appropriation is provided solely for allocations for equipment
11 replacement in vocational programs and skills centers. Each year of
12 the biennium, the funding shall be allocated based on \$75 per full-time
13 equivalent vocational student and \$125 per full-time equivalent skills
14 center student.

15 (f) Within the amounts appropriated in this section, funding is for
16 the implementation of Second Substitute Senate Bill No. 5790 (regarding
17 skills centers).

18 (11) For purposes of RCW 84.52.0531, the increase per full-time
19 equivalent student is 5.7 percent from the 2006-07 school year to the
20 2007-08 school year and 6.0 percent from the 2007-08 school year to the
21 2008-09 school year.

22 (12) If two or more school districts consolidate and each district
23 was receiving additional basic education formula staff units pursuant
24 to subsection (2)(b) through (h) of this section, the following shall
25 apply:

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

30 (b) For the fourth through eighth school years following
31 consolidation, the difference between the basic education formula staff
32 units received by the districts for the school year prior to
33 consolidation and the basic education formula staff units after
34 consolidation pursuant to subsection (2)(a) through (h) of this section
35 shall be reduced in increments of twenty percent per year.

36 (13) The appropriation levels in part V of this act assume
37 implementation of the reimbursement provisions of Senate Bill No. 6450
38 (school district reimbursement of performance audits).

1 **Sec. 1403.** 2008 c 329 s 504 (uncodified) is amended to read as
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
4 **COMPENSATION ADJUSTMENTS**

5	General Fund--State Appropriation (FY 2008)	\$161,280,000
6	General Fund--State Appropriation (FY 2009)	(\$405,228,000)
7		<u>\$407,478,000</u>
8	General Fund--Federal Appropriation	(\$275,000)
9		<u>\$276,000</u>
10	TOTAL APPROPRIATION	(\$566,783,000)
11		<u>\$569,034,000</u>

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

14 (1) ~~(\$500,195,000)~~ \$502,039,000 is provided solely for the
15 following:

16 (a) A cost of living adjustment of 3.7 percent effective September
17 1, 2007, and another 3.9 percent effective September 1, 2008, pursuant
18 to Initiative Measure No. 732.

19 (b) An additional .5 percent cost of living adjustment is provided
20 above the amount required by Initiative Measure No. 732, effective
21 September 1, 2008.

22 (c) Additional salary increases as necessary to fund the base
23 salaries for certificated instructional staff as listed for each
24 district in LEAP Document 2, defined in section 503(2)(b) of this act.
25 Allocations for these salary increases shall be provided to all 262
26 districts that are not grandfathered to receive salary allocations
27 above the statewide salary allocation schedule, and to certain
28 grandfathered districts to the extent necessary to ensure that salary
29 allocations for districts that are currently grandfathered do not fall
30 below the statewide salary allocation schedule. These additional
31 salary increases will result in a decrease in the number of
32 grandfathered districts from the current thirty-four to twenty-four in
33 the 2007-08 school year and to twelve in the 2008-09 school year.

34 (d) Additional salary increases to certain districts as necessary
35 to fund the per full-time-equivalent salary allocations for
36 certificated administrative staff as listed for each district in LEAP
37 Document 2, defined in section 503(2)(b) of this act. These additional

(i) The appropriations in this section include \$925,000 for fiscal year 2008 and (~~(\$2,314,000)~~) \$2,322,000 for fiscal year 2009 for salary increase adjustments for substitute teachers.

(2) (~~(\$66,591,000)~~) \$66,719,000 is provided for adjustments to insurance benefit allocations. The maintenance rate for insurance benefit allocations is \$682.54 per month for the 2007-08 and 2008-09 school years. The appropriations in this section provide for a rate increase to \$707.00 per month for the 2007-08 school year and \$732.00 per month for the 2008-09 school year. The adjustments to health insurance benefit allocations are at the following rates:

	School Year	
	2007-08	2008-09
Pupil Transportation (per weighted pupil mile)	\$0.22	\$0.45
Highly Capable (per formula student)	\$1.50	\$3.05
Transitional Bilingual Education (per eligible bilingual student)	\$3.96	\$8.01
Learning Assistance (per formula student)	\$0.86	\$2.05

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

Sec. 1404. 2008 c 329 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION

General Fund--State Appropriation (FY 2008)	\$273,409,000
General Fund--State Appropriation (FY 2009)	((\$276,510,000))
	<u>\$291,499,000</u>
Education Legacy Trust Account--State	
Appropriation	\$25,000,000
TOTAL APPROPRIATION	((\$574,919,000))
	<u>\$589,908,000</u>

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

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

1 (2) A maximum of \$848,000 of this fiscal year 2008 appropriation
2 and a maximum of \$878,000 of the fiscal year 2009 appropriation may be
3 expended for regional transportation coordinators and related
4 activities. The transportation coordinators shall ensure that data
5 submitted by school districts for state transportation funding shall,
6 to the greatest extent practical, reflect the actual transportation
7 activity of each district.

8 (3) \$5,000 of the fiscal year 2008 appropriation and \$5,000 of the
9 fiscal year 2009 appropriation are provided solely for the
10 transportation of students enrolled in "choice" programs.
11 Transportation shall be limited to low-income students who are
12 transferring to "choice" programs solely for educational reasons.

13 (4) Allocations for transportation of students shall be based on
14 reimbursement rates of \$44.84 per weighted mile in the 2007-08 school
15 year and \$45.68 per weighted mile in the 2008-09 school year exclusive
16 of salary and benefit adjustments provided in section 504 of this act.
17 Allocations for transportation of students transported more than one
18 radius mile shall be based on weighted miles as determined by
19 superintendent of public instruction multiplied by the per mile
20 reimbursement rates for the school year pursuant to the formulas
21 adopted by the superintendent of public instruction. Allocations for
22 transportation of students living within one radius mile shall be based
23 on the number of enrolled students in grades kindergarten through five
24 living within one radius mile of their assigned school multiplied by
25 the per mile reimbursement rate for the school year multiplied by 1.29.

26 (5) \$25,000,000 of the education legacy trust account--state
27 appropriation is provided solely for temporary assistance to school
28 districts for pupil transportation programs. The office of the
29 superintendent of public instruction, in consultation with the joint
30 legislative audit and review committee, will develop a method of
31 allocating these funds to school districts. The allocation method
32 shall be based primarily on the findings and analysis from the joint
33 legislative and audit review committee's K-12 pupil transportation
34 study completed in December 2006.

35 (6) The office of the superintendent of public instruction shall
36 provide reimbursement funding to a school district only after the
37 superintendent of public instruction determines that the school bus was
38 purchased from the list established pursuant to RCW 28A.160.195(2) or

1 a comparable competitive bid process based on the lowest price quote
2 based on similar bus categories to those used to establish the list
3 pursuant to RCW 28A.160.195.

4 (7) The superintendent of public instruction shall base
5 depreciation payments for school district buses on the five-year
6 average of lowest bids in the appropriate category of bus. In the
7 final year on the depreciation schedule, the depreciation payment shall
8 be based on the lowest bid in the appropriate bus category for that
9 school year.

10 **Sec. 1405.** 2008 c 329 s 506 (uncodified) is amended to read as
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
13 **PROGRAMS**

14	General Fund--State Appropriation (FY 2008)	\$543,469,000
15	General Fund--State Appropriation (FY 2009)	((\$581,925,000))
16		<u>\$580,312,000</u>
17	General Fund--Federal Appropriation	((\$435,692,000))
18		<u>\$483,123,000</u>
19	Education Legacy Trust Account--State	
20	Appropriation	\$14,561,000
21	TOTAL APPROPRIATION	((\$1,575,647,000))
22		<u>\$1,621,465,000</u>

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

25 (1) Funding for special education programs is provided on an excess
26 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
27 that special education students as a class receive their full share of
28 the general apportionment allocation accruing through sections 502 and
29 504 of this act. To the extent a school district cannot provide an
30 appropriate education for special education students under chapter
31 28A.155 RCW through the general apportionment allocation, it shall
32 provide services through the special education excess cost allocation
33 funded in this section.

34 (2)(a) The superintendent of public instruction shall ensure that:
35 (i) Special education students are basic education students first;
36 (ii) As a class, special education students are entitled to the
37 full basic education allocation; and

1 (iii) Special education students are basic education students for
2 the entire school day.

3 (b) The superintendent of public instruction shall adopt the full
4 cost method of excess cost accounting, as designed by the committee and
5 recommended by the superintendent, pursuant to section 501(1)(k),
6 chapter 372, Laws of 2006, and ensure that all school districts adopt
7 the method beginning in the 2007-08 school year.

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

11 (4) The superintendent of public instruction shall distribute state
12 funds to school districts based on two categories: (a) The first
13 category includes (i) children birth through age two who are eligible
14 for the optional program for special education eligible developmentally
15 delayed infants and toddlers, and (ii) students eligible for the
16 mandatory special education program and who are age three or four, or
17 five and not yet enrolled in kindergarten; and (b) the second category
18 includes students who are eligible for the mandatory special education
19 program and who are age five and enrolled in kindergarten and students
20 age six through 21.

21 (5)(a) For the 2007-08 and 2008-09 school years, the superintendent
22 shall make allocations to each district based on the sum of:

23 (i) A district's annual average headcount enrollment of students
24 ages birth through four and those five year olds not yet enrolled in
25 kindergarten, as defined in subsection (4) of this section, multiplied
26 by the district's average basic education allocation per full-time
27 equivalent student, multiplied by 1.15; and

28 (ii) A district's annual average full-time equivalent basic
29 education enrollment multiplied by the funded enrollment percent
30 determined pursuant to subsection (6)(b) of this section, multiplied by
31 the district's average basic education allocation per full-time
32 equivalent student multiplied by 0.9309.

33 (b) For purposes of this subsection, "average basic education
34 allocation per full-time equivalent student" for a district shall be
35 based on the staffing ratios required by RCW 28A.150.260 and shall not
36 include enhancements, secondary vocational education, or small schools.

37 (6) The definitions in this subsection apply throughout this
38 section.

1 (a) "Annual average full-time equivalent basic education
2 enrollment" means the resident enrollment including students enrolled
3 through choice (RCW 28A.225.225) and students from nonhigh districts
4 (RCW 28A.225.210) and excluding students residing in another district
5 enrolled as part of an interdistrict cooperative program (RCW
6 28A.225.250).

7 (b) "Enrollment percent" means the district's resident special
8 education annual average enrollment, excluding the birth through age
9 four enrollment and those five year olds not yet enrolled in
10 kindergarten, as a percent of the district's annual average full-time
11 equivalent basic education enrollment.

12 Each district's general fund--state funded special education
13 enrollment shall be the lesser of the district's actual enrollment
14 percent or 12.7 percent.

15 (7) At the request of any interdistrict cooperative of at least 15
16 districts in which all excess cost services for special education
17 students of the districts are provided by the cooperative, the maximum
18 enrollment percent shall be calculated in accordance with subsection
19 (6)(b) of this section, and shall be calculated in the aggregate rather
20 than individual district units. For purposes of this subsection, the
21 average basic education allocation per full-time equivalent student
22 shall be calculated in the aggregate rather than individual district
23 units.

24 (8) To the extent necessary, (~~(\$53,926,000)~~) \$56,553,000 of the
25 general fund--state appropriation and \$29,574,000 of the general fund--
26 federal appropriation are provided for safety net awards for districts
27 with demonstrated needs for special education funding beyond the
28 amounts provided in subsection (5) of this section. If the federal
29 safety net awards based on the federal eligibility threshold exceed the
30 federal appropriation in this subsection (8) in any fiscal year, the
31 superintendent shall expend all available federal discretionary funds
32 necessary to meet this need. Safety net funds shall be awarded by the
33 state safety net oversight committee subject to the following
34 conditions and limitations:

35 (a) The committee shall consider unmet needs for districts that can
36 convincingly demonstrate that all legitimate expenditures for special
37 education exceed all available revenues from state funding formulas.
38 In the determination of need, the committee shall also consider

1 additional available revenues from federal sources. Differences in
2 program costs attributable to district philosophy, service delivery
3 choice, or accounting practices are not a legitimate basis for safety
4 net awards. In the determination of need, the committee shall require
5 that districts demonstrate that they are maximizing their eligibility
6 for all state and federal revenues related to services for special
7 education-eligible students. Awards associated with (b) and (c) of
8 this subsection shall not exceed the total of a district's specific
9 determination of need.

10 (b) The committee shall then consider the extraordinary high cost
11 needs of one or more individual special education students.
12 Differences in costs attributable to district philosophy, service
13 delivery choice, or accounting practices are not a legitimate basis for
14 safety net awards.

15 (c) Using criteria developed by the committee, the committee shall
16 then consider extraordinary costs associated with communities that draw
17 a larger number of families with children in need of special education
18 services. The safety net awards to school districts shall be adjusted
19 to reflect amounts awarded under (b) of this subsection.

20 (d) The maximum allowable indirect cost for calculating safety net
21 eligibility may not exceed the federal restricted indirect cost rate
22 for the district plus one percent.

23 (e) Safety net awards must be adjusted for any audit findings or
24 exceptions related to special education funding.

25 (f) Safety net awards shall be adjusted based on the percent of
26 potential medicaid eligible students billed as calculated by the
27 superintendent in accordance with chapter 318, Laws of 1999. The state
28 safety net oversight committee shall ensure that safety net
29 documentation and awards are based on current medicaid revenue amounts.

30 (9) The superintendent of public instruction may adopt such rules
31 and procedures as are necessary to administer the special education
32 funding and safety net award process. Prior to revising any standards,
33 procedures, or rules, the superintendent shall consult with the office
34 of financial management and the fiscal committees of the legislature.

35 (10) The safety net oversight committee appointed by the
36 superintendent of public instruction shall consist of:

37 (a) One staff from the office of superintendent of public
38 instruction;

1 (b) Staff of the office of the state auditor who shall be nonvoting
2 members of the committee; and

3 (c) One or more representatives from school districts or
4 educational service districts knowledgeable of special education
5 programs and funding.

6 (11) The office of the superintendent of public instruction shall
7 review and streamline the application process to access safety net
8 funds, provide technical assistance to school districts, and annually
9 survey school districts regarding improvement to the process.

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

15 (13) A maximum of \$1,000,000 of the general fund--federal
16 appropriation is provided for projects to provide special education
17 students with appropriate job and independent living skills, including
18 work experience where possible, to facilitate their successful
19 transition out of the public school system. The funds provided by this
20 subsection shall be from federal discretionary grants.

21 (14) \$50,000 of the general fund--state appropriation for fiscal
22 year 2008, \$50,000 of the general fund--state appropriation for fiscal
23 2009, and \$100,000 of the general fund--federal appropriation shall be
24 expended to support a special education ombudsman program within the
25 office of superintendent of public instruction. The purpose of the
26 program is to provide support to parents, guardians, educators, and
27 students with disabilities. The program will provide information to
28 help families and educators understand state laws, rules, and
29 regulations, and access training and support, technical information
30 services, and mediation services. The ombudsman program will provide
31 data, information, and appropriate recommendations to the office of
32 superintendent of public instruction, school districts, educational
33 service districts, state need projects, and the parent and teacher
34 information center. Within the appropriations in this section there is
35 sufficient funding provided to also provide at least a half-time
36 support staff position for the special education ombudsman program.

37 (15) The superintendent shall maintain the percentage of federal
38 flow-through to school districts at 85 percent. In addition to other

1 purposes, school districts may use increased federal funds for high-
2 cost students, for purchasing regional special education services from
3 educational service districts, and for staff development activities
4 particularly relating to inclusion issues.

5 (16) A maximum of \$1,200,000 of the general fund--federal
6 appropriation may be expended by the superintendent for projects
7 related to use of inclusion strategies by school districts for
8 provision of special education services.

9 (17) The superintendent, consistent with the new federal IDEA
10 reauthorization, shall continue to educate school districts on how to
11 implement a birth-to-three program and review the cost effectiveness
12 and learning benefits of early intervention.

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

17 (19) \$262,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$251,000 of the general fund--state appropriation for
19 fiscal year 2009 are provided solely for two additional full-time
20 equivalent staff to support the work of the safety net committee and to
21 provide training and support to districts applying for safety net
22 awards.

23 **Sec. 1406.** 2008 c 329 s 508 (uncodified) is amended to read as
24 follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
26 **ASSISTANCE**

27	General Fund--State Appropriation (FY 2008)	\$203,555,000
28	General Fund--State Appropriation (FY 2009)	(\$220,100,000)
29		<u>\$211,424,000</u>
30	<u>General Fund--Federal Appropriation</u>	<u>\$13,090,000</u>
31	TOTAL APPROPRIATION	(\$423,655,000)
32		<u>\$428,069,000</u>

33 **Sec. 1407.** 2008 c 329 s 509 (uncodified) is amended to read as
34 follows:

35 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**

1 **EDUCATION PROGRAMS**

2	General Fund--State Appropriation (FY 2008)	\$19,105,000
3	General Fund--State Appropriation (FY 2009)	(\$19,764,000)
4		<u>\$21,664,000</u>
5	TOTAL APPROPRIATION	(\$38,869,000)
6		<u>\$40,769,000</u>

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

9 (1) Each general fund--state fiscal year appropriation includes
10 such funds as are necessary to complete the school year ending in the
11 fiscal year and for prior fiscal year adjustments.

12 (2) State funding provided under this section is based on salaries
13 and other expenditures for a 220-day school year. The superintendent
14 of public instruction shall monitor school district expenditure plans
15 for institutional education programs to ensure that districts plan for
16 a full-time summer program.

17 (3) State funding for each institutional education program shall be
18 based on the institution's annual average full-time equivalent student
19 enrollment. Staffing ratios for each category of institution shall
20 remain the same as those funded in the 1995-97 biennium.

21 (4) The funded staffing ratios for education programs for juveniles
22 age 18 or less in department of corrections facilities shall be the
23 same as those provided in the 1997-99 biennium.

24 (5) \$187,000 of the general fund--state appropriation for fiscal
25 year 2008 and ~~(\$133,797)~~ \$329,000 of the general fund--state
26 appropriation for fiscal year 2009 are provided solely to maintain at
27 least one certificated instructional staff and related support services
28 at an institution whenever the K-12 enrollment is not sufficient to
29 support one full-time equivalent certificated instructional staff to
30 furnish the educational program. The following types of institutions
31 are included: Residential programs under the department of social and
32 health services for developmentally disabled juveniles, programs for
33 juveniles under the department of corrections, and programs for
34 juveniles under the juvenile rehabilitation administration.

35 (6) Ten percent of the funds allocated for each institution may be
36 carried over from one year to the next.

1 **Sec. 1408.** 2008 c 329 s 510 (uncodified) is amended to read as
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**
4 **CAPABLE STUDENTS**

5	General Fund--State Appropriation (FY 2008)	\$8,383,000
6	General Fund--State Appropriation (FY 2009)	(\$8,788,000)
7		<u>\$8,776,000</u>
8	TOTAL APPROPRIATION	(\$17,171,000)
9		<u>\$17,159,000</u>

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

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

15 (2) Allocations for school district programs for highly capable
16 students shall be distributed at a maximum rate of \$372.15 per funded
17 student for the 2007-08 school year and ~~(\$378.13)~~ \$378.32 per funded
18 student for the 2008-09 school year, exclusive of salary and benefit
19 adjustments pursuant to section 504 of this act. The number of funded
20 students shall be a maximum of 2.314 percent of each district's full-
21 time equivalent basic education enrollment.

22 (3) \$170,000 of the fiscal year 2008 appropriation and \$170,000 of
23 the fiscal year 2009 appropriation are provided for the centrum program
24 at Fort Worden state park.

25 (4) \$90,000 of the fiscal year 2008 appropriation and \$90,000 of
26 the fiscal year 2009 appropriation are provided for the Washington
27 destination imagination network and future problem-solving programs.

28 **Sec. 1409.** 2008 c 329 s 512 (uncodified) is amended to read as
29 follows:

30 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**
31 **BILINGUAL PROGRAMS**

32	General Fund--State Appropriation (FY 2008)	\$65,595,000
33	General Fund--State Appropriation (FY 2009)	(\$69,560,000)
34		<u>\$68,924,000</u>
35	General Fund--Federal Appropriation	\$45,243,000
36	TOTAL APPROPRIATION	(\$180,398,000)
37		<u>\$179,762,000</u>

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

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

6 (2) The superintendent shall distribute a maximum of \$824.12 per
7 eligible bilingual student in the 2007-08 school year and \$840.64 in
8 the 2008-09 school year, exclusive of salary and benefit adjustments
9 provided in section 504 of this act.

10 (3) The superintendent may withhold up to 1.5 percent of the school
11 year allocations to school districts in subsection (2) of this section,
12 and adjust the per eligible pupil rates in subsection (2) of this
13 section accordingly, solely for the central provision of assessments as
14 provided in RCW 28A.180.090 (1) and (2).

15 (4) \$70,000 of the amounts appropriated in this section are
16 provided solely to track current and former transitional bilingual
17 program students.

18 (5) The general fund--federal appropriation in this section is
19 provided for migrant education under Title I Part C and English
20 language acquisition, and language enhancement grants under Title III
21 of the elementary and secondary education act.

22 (6) Pursuant to RCW 28A.150.260, during the 2007-09 biennium, the
23 office of the superintendent of public instruction shall not make exit
24 of the transitional bilingual program contingent on passing both the
25 Washington language proficiency test and the Washington assessment of
26 student learning without prior legislative approval.

27 **Sec. 1410.** 2009 c 4 s 504 (uncodified) is amended to read as
28 follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
30 **PROGRAMS**

31	General Fund--State Appropriation (FY 2008)	\$66,272,000
32	General Fund--State Appropriation (FY 2009)	(\$84,636,000)
33		<u>\$84,663,000</u>
34	Education Legacy Trust Account--State	
35	Appropriation	\$117,890,000
36	General Fund--Federal Appropriation	(\$152,568,000)
37		<u>\$159,042,000</u>

1 TOTAL APPROPRIATION ((~~\$421,366,000~~))
2 \$427,867,000

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

5 (1) \$19,716,000 of the general fund--state appropriation for fiscal
6 year 2008, (~~(\$20,948,000)~~) \$22,096,000 of the general fund--state
7 appropriation for fiscal year 2009, \$1,350,000 of the education legacy
8 trust account--state appropriation, and (~~(\$15,870,000)~~) \$18,236,000 of
9 the general fund--federal appropriation are provided solely for
10 development and implementation of the Washington assessments of student
11 learning (WASL), including: (i) Development and implementation of
12 retake assessments for high school students who are not successful in
13 one or more content areas of the WASL; and (ii) development and
14 implementation of alternative assessments or appeals procedures to
15 implement the certificate of academic achievement. The superintendent
16 of public instruction shall report quarterly on the progress on
17 development and implementation of alternative assessments or appeals
18 procedures. Within these amounts, the superintendent of public
19 instruction shall contract for the early return of 10th grade student
20 WASL results, on or around June 10th of each year. In addition to the
21 amounts provided for the Washington assessments of student learning in
22 this subsection, \$11,372,000 is also included in the appropriations to
23 the office of financial management in this act for an interagency
24 agreement with the office of superintendent of public instruction for
25 the expenditure of those funds based on compliance with certain
26 requirements.

27 (2) \$3,249,000 of the general fund--state appropriation for fiscal
28 year 2009 is provided solely for the implementation of Substitute House
29 Bill No. 3166 (design of the state assessment system and the Washington
30 assessment of student learning), including section 3 of the act
31 providing for end-of-course tests in math. If the bill is not enacted
32 by June 30, 2008, the amount provided in this subsection shall lapse.

33 (3) \$250,000 of the general fund--state appropriation for fiscal
34 year 2008, \$250,000 of the general fund--state appropriation for fiscal
35 year 2009, and \$1,630,000 of the education legacy trust account--state
36 appropriation is provided solely for the development and implementation
37 of diagnostic assessments, subject to the following terms and
38 conditions:

1 (a) A maximum of \$2,540,000 of the funding provided in this
2 subsection shall support the development and implementation of
3 voluntary classroom-based diagnostic assessments and progress
4 monitoring tools for all subject areas included in the WASL by the
5 office of the superintendent of public instruction; and

6 (b) \$2,360,000 of the funding provided in this subsection is for
7 allocations to school districts to purchase assessment tools which
8 supplement the system of diagnostic tests developed by the office of
9 the superintendent of public instruction as described in (a) of this
10 subsection.

11 (4) Within the amounts appropriated in this section, funding is for
12 second grade assessments.

13 (5) \$1,414,000 of the general fund--state appropriation for fiscal
14 year 2008 (~~and~~) is provided solely for (a) the tenth grade
15 mathematics assessment tool that: (i) Presents the mathematics
16 essential learnings in segments for assessment; (ii) is comparable in
17 content and rigor to the tenth grade mathematics WASL when all segments
18 are considered together; (iii) is reliable and valid; and (iv) can be
19 used to determine a student's academic performance level; (b) tenth
20 grade mathematics knowledge and skill learning modules to teach middle
21 and high school students specific skills that have been identified as
22 areas of difficulty for tenth grade students; and (c) making the
23 modules available on-line.

24 (6) \$1,966,000 of the general fund--state appropriation for fiscal
25 year 2009 and \$2,337,000 of the education legacy trust account
26 appropriation are provided solely to develop a system of mathematics
27 and science standards and instructional materials that are
28 internationally competitive and consistent with emerging best practices
29 research. Funding in this subsection shall fund all of the following
30 specific projects:

31 (a) The office of the superintendent of public instruction shall
32 adopt revised state standards in mathematics as directed by Second
33 Substitute House Bill No. 1906 (improving mathematics and science
34 education). Activities include conducting research at the request of
35 the state board of education, engaging one or more national experts in
36 mathematics selected by the board, and convening education
37 practitioners and community members in an advisory capacity regarding
38 revised standards in mathematics.

1 (b) The office of the superintendent of public instruction, in
2 consultation with the state board of education, shall research and
3 identify not more than three basic mathematics curricula as well as
4 diagnostic and supplemental instructional materials for elementary,
5 middle, and high school grade spans that align with the revised
6 mathematics standards.

7 (c) The office of the superintendent of public instruction shall
8 adopt revised state standards in science as directed by Second
9 Substitute House Bill No. 1906 (improving mathematics and science
10 education. Activities include conducting research at the request of
11 the state board of education, engaging one or more national experts in
12 science selected by the board, and convening education practitioners
13 and community members in an advisory capacity regarding revised
14 standards in science.

15 (d) The office of the superintendent of public instruction, in
16 consultation with the state board of education, shall research and
17 identify not more than three basic science curricula as well as
18 diagnostic and supplemental instructional materials for elementary,
19 middle, and high school grade spans that align with the revised science
20 standards.

21 (e) The office of the superintendent of public instruction shall
22 evaluate science textbooks, instructional materials, and diagnostic
23 tools to determine the extent to which they are aligned with the
24 revised science standards. Once the evaluations have been conducted,
25 results will be shared with science teachers, other educators, and
26 community members.

27 (f) Funding is provided for the office of the superintendent of
28 public instruction to develop WASL knowledge and skill learning modules
29 to assist students performing at tenth grade level 1 and level 2 in
30 science.

31 (g) Of the amounts provided in this subsection, \$300,000 is
32 provided solely to the state board of education to increase capacity to
33 implement the provisions of Second Substitute House Bill No. 1906
34 (improving mathematics and science education) and Engrossed Second
35 Substitute Senate Bill No. 6023 (regarding alternative assessments).

36 (7) \$8,950,000 of the education legacy trust account appropriation
37 is for allocations to districts for salaries and benefits for the
38 equivalent of two additional professional development days each school

1 year for fourth and fifth grade teachers. The allocations shall be
2 made based on the calculations of certificated instructional staff
3 units for fourth and fifth grade provided in section 502 of this act
4 and on the calculations of compensation provided in sections 503 and
5 504 of this act. Allocations made pursuant to this subsection are
6 intended to be formula-driven, and the office of the superintendent of
7 public instruction shall provide updated projections of the relevant
8 budget drivers by November 20, 2007, and by November 20, 2008. In the
9 2007-08 school year, the professional development activities funded by
10 this subsection shall be focused on development of mathematics
11 knowledge and instructional skills and on improving instruction in
12 science. In the 2008-09 school year, the additional professional
13 development shall focus on skills related to implementing the new
14 international mathematics and science standards and curriculum.
15 Districts may use the funding to support additional days for
16 professional development as well as job-embedded forms of professional
17 development.

18 (8) \$13,058,000 of the education legacy trust fund appropriation is
19 for allocations to districts for salaries and benefits for the
20 equivalent of three additional professional development days for middle
21 and high school math teachers and the equivalent of three additional
22 professional development days for middle and high school science
23 teachers. The office of the superintendent of public instruction shall
24 develop rules to determine the number of math and science teachers in
25 middle and high schools within each district. Allocations made
26 pursuant to this subsection are intended to be formula-driven, and the
27 office of the superintendent of public instruction shall provide
28 updated projections of the relevant budget drivers by November 20,
29 2007, and by November 20, 2008. Districts may use the funding to
30 support additional days for professional development as well as job-
31 embedded forms of professional development, consistent with the
32 following:

33 (a) For middle school teachers during the 2007-08 school year the
34 additional math professional development funded in this subsection
35 shall focus on development of basic mathematics knowledge and
36 instructional skills and the additional science professional
37 development shall focus on examination of student science assessment
38 data and identification of science knowledge and skill areas in need of

1 additional instructional attention. For middle school teachers during
2 the 2008-09 school year the additional math professional development
3 shall focus on skills related to implementing the new international
4 mathematics standards and the additional science professional
5 development shall focus on skills related to implementing the new
6 international science standards.

7 (b) For high school teachers during the 2007-08 school year the
8 additional math professional development funded in this subsection
9 shall focus on skills related to implementing state math learning
10 modules, the segmented math class/assessment program, the collection of
11 evidence alternative assessment, and basic mathematics knowledge and
12 instructional skills, and the additional science professional
13 development shall focus on skills related to examination of student
14 science assessment data and identification of science knowledge and
15 skill areas in need of additional instructional attention. For high
16 school teachers during the 2008-09 school year the additional math
17 professional development shall focus on skills related to implementing
18 the new international mathematics standards and the additional science
19 professional development shall focus on skills related to implementing
20 the new international science standards.

21 (9) \$17,491,000 of the education legacy trust fund appropriation is
22 for allocations to districts for specialized professional development
23 in math for one math teacher and one science teacher in each middle
24 school and one math teacher and one science teacher in each high
25 school. The allocations shall be based on five additional professional
26 development days per teacher and an additional allocation per teacher
27 of \$1,500 for training costs. In order to generate an allocation under
28 this subsection, a teacher must participate in specialized professional
29 development that leads to the implementation of mathematics and science
30 courses that add new rigor to the math and science course offerings in
31 the school. Allocations made pursuant to this subsection are intended
32 to be formula-driven, and the office of the superintendent of public
33 instruction shall provide updated projections of the relevant budget
34 drivers by November 20, 2007, and by November 20, 2008.

35 (10) \$5,376,000 of the education legacy trust account--state
36 appropriation is provided solely for a math and science instructional
37 coaches program pursuant to Second Substitute House Bill No. 1906
38 (improving mathematics and science education). Funding shall be used

1 to provide grants to schools and districts to provide salaries,
2 benefits, and professional development activities to twenty-five
3 instructional coaches in middle and high school math in the 2007-08 and
4 2008-09 school years and twenty-five instructional coaches in middle
5 and high school science in the 2008-09 school years; and up to \$300,000
6 may be used by the office of the superintendent of public instruction
7 to administer and coordinate the program. Each instructional coach
8 will receive five days of training at a coaching institute prior to
9 being assigned to serve two schools each. These coaches will attend
10 meetings during the year to further their training and assist with
11 coordinating statewide trainings on math and science.

12 (11) \$1,133,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$1,133,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely to allow approved middle and
15 junior high school career and technical education programs to receive
16 enhanced vocational funding pursuant to Second Substitute House Bill
17 No. 1906 (improving mathematics and science education). The office of
18 the superintendent of public instruction shall provide allocations to
19 districts for middle and junior high school students in accordance with
20 the funding formulas provided in section 502 of this act. Although the
21 allocations are formula-driven, the office of the superintendent shall
22 consider the funding provided in this subsection as a fixed amount, and
23 shall adjust funding to stay within the amounts provided in this
24 subsection.

25 (12) Within the amounts appropriated in this section, funding is
26 for (a) staff at the office of the superintendent of public instruction
27 to coordinate and promote efforts to develop integrated math, science,
28 technology, and engineering programs in schools and districts across
29 the state; and (b) grants of \$2,500 to provide twenty middle and high
30 school teachers each year professional development training for
31 implementing integrated math, science, technology, and engineering
32 program in their schools.

33 (13) Within the amounts appropriated in this section, funding is
34 for in-service training and educational programs conducted by the
35 Pacific science center and for the Washington state leadership
36 assistance for science education reform (LASER) regional partnership
37 coordinated at the Pacific science center.

1 (14) \$51,701,000 of the education legacy trust account--state
2 appropriation is provided solely for grants for voluntary full-day
3 kindergarten at the highest poverty schools, as provided in Engrossed
4 Second Substitute Senate Bill 5841 (enhancing student learning
5 opportunities and achievement). The office of the superintendent of
6 public instruction shall provide allocations to districts for recipient
7 schools in accordance with the funding formulas provided in section 502
8 of this act. Each kindergarten student who enrolls for the voluntary
9 full-day program in a recipient school shall count as one-half of one
10 full-time equivalent student for the purpose of making allocations
11 under this subsection. Although the allocations are formula-driven,
12 the office of the superintendent shall consider the funding provided in
13 this subsection as a fixed amount, and shall limit the number of
14 recipient schools so as to stay within the amounts appropriated each
15 fiscal year in this subsection. The funding provided in this
16 subsection is estimated to provide full-day kindergarten programs for
17 10 percent of kindergarten enrollment in the 2007-08 school year and 20
18 percent of kindergarten enrollment in the 2008-09 school year. Funding
19 priority shall be given to schools with the highest poverty levels, as
20 measured by prior year free and reduced priced lunch eligibility rates
21 in each school. Additionally, as a condition of funding, school
22 districts must agree to provide the full-day program to the children of
23 parents who request it in each eligible school. For the purposes of
24 calculating a school district levy base, funding provided in this
25 subsection shall be considered a state block grant program under RCW
26 84.52.0531.

27 (a) Of the amounts provided in this subsection, a maximum of
28 \$272,000 may be used for administrative support of the full-day
29 kindergarten program within the office of the superintendent of public
30 instruction.

31 (b) Student enrollment pursuant to this program shall not be
32 included in the determination of a school district's overall K-12 FTE
33 for the allocation of student achievement programs and other funding
34 formulas unless specifically stated.

35 (15) Within the amounts appropriated in this section, funding is
36 for support of a full-day kindergarten "lighthouse" resource program at
37 the Bremerton school district, as provided in Engrossed Second Senate
38 Bill No. 5841 (enhancing student learning opportunities and

1 achievement). The purpose of the program is to provide technical
2 assistance to districts in the initial stages of implementing a high
3 quality full-day kindergarten program.

4 (16) Within the amounts appropriated in this section, funding is
5 for grants for three demonstration projects for kindergarten through
6 grade three. The purpose of the grants is to implement best practices
7 in developmental learning in kindergarten through third grade pursuant
8 to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student
9 learning opportunities and achievement).

10 (17) \$300,000 of the general fund--state appropriation for fiscal
11 year 2008 and \$1,000,000 of the general fund--state appropriation for
12 fiscal year 2009 are provided solely for the development of a
13 leadership academy for school principals and administrators. The
14 superintendent of public instruction shall contract with an independent
15 organization to design, field test, and implement a state-of-the-art
16 education leadership academy that will be accessible throughout the
17 state. Initial development of the content of the academy activities
18 shall be supported by private funds. Semiannually the independent
19 organization shall report on amounts committed by foundations and
20 others to support the development and implementation of this program.
21 Leadership academy partners, with varying roles, shall include the
22 state level organizations for school administrators and principals, the
23 superintendent of public instruction, the professional educator
24 standards board, and others as the independent organization shall
25 identify.

26 (18) Within the amounts appropriated in this section, funding is
27 for grants to school districts to implement emerging best practices
28 activities in support of classroom teachers' instruction of students,
29 with a first language other than English, who struggle with acquiring
30 academic English skills, as outlined in Engrossed Second Substitute
31 Senate Bill No. 5841 (enhancing student learning opportunities and
32 achievement). Best practices shall focus on professional development
33 for classroom teachers and support of instruction for English language
34 learners in regular classrooms. School districts qualifying for these
35 grants shall serve a student population that reflects many different
36 first languages among their students. The Northwest educational
37 research laboratory (NWREL) shall evaluate the effectiveness of the

1 practices supported by the grants as provided in section 501 of this
2 act. Recipients of these grants shall cooperate with NWREL in the
3 collection of program data.

4 (19) Within the amounts appropriated in this section, funding is
5 for training of paraprofessional classroom assistants and certificated
6 staff who work with classroom assistants as provided in RCW
7 28A.415.310.

8 (20) Within the amounts appropriated in this section, funding is
9 provided for mentor teacher assistance, including state support
10 activities, under RCW 28A.415.250 and 28A.415.260, and for a mentor
11 academy. Up to \$200,000 of the amount in this subsection may be used
12 each fiscal year to operate a mentor academy to help districts provide
13 effective training for peer mentors. Funds for the teacher assistance
14 program shall be allocated to school districts based on the number of
15 first year beginning teachers.

16 (21) Within the amounts appropriated in this section, funding is
17 for the leadership internship program for superintendents, principals,
18 and program administrators.

19 (22) \$105,765,000 of the general fund--federal appropriation is
20 provided for preparing, training, and recruiting high quality teachers
21 and principals under Title II of the no child left behind act.

22 (23) Within the amounts appropriated in this section, funding is
23 for a principal support program. The office of the superintendent of
24 public instruction may contract with an independent organization to
25 administer the program. The program shall include: (a) Development of
26 an individualized professional growth plan for a new principal or
27 principal candidate; and (b) participation of a mentor principal who
28 works over a period of between one and three years with the new
29 principal or principal candidate to help him or her build the skills
30 identified as critical to the success of the professional growth plan.
31 Within the amounts provided, \$25,000 per year shall be used to support
32 additional participation of secondary principals.

33 (24) Within the amounts appropriated in this section, funding is
34 for the office of the superintendent of public instruction for focused
35 assistance. The office of the superintendent of public instruction
36 shall conduct educational audits of low-performing schools and enter
37 into performance agreements between school districts and the office to
38 implement the recommendations of the audit and the community. Each

1 educational audit shall include recommendations for best practices and
2 ways to address identified needs and shall be presented to the
3 community in a public meeting to seek input on ways to implement the
4 audit and its recommendations.

5 (25) Within the amounts appropriated in this section, funding is
6 for a high school and school district improvement program modeled after
7 the office of the superintendent of public instruction's existing
8 focused assistance program in subsection (25)(b) of this section. The
9 state funding for this improvement program will match an equal amount
10 committed by a nonprofit foundation in furtherance of a jointly funded
11 program.

12 (26) Within the amounts appropriated in this section, funding is
13 for summer accountability institutes offered by the superintendent of
14 public instruction. The institutes shall provide school district staff
15 with training in the analysis of student assessment data, information
16 regarding successful district and school teaching models, research on
17 curriculum and instruction, and planning tools for districts to improve
18 instruction in reading, mathematics, language arts, social studies,
19 including civics, and guidance and counseling. The superintendent of
20 public instruction shall offer at least one institute specifically for
21 improving instruction in mathematics in fiscal years 2008 and 2009 and
22 at least one institute specifically for improving instruction in
23 science in fiscal year 2009.

24 (27) Within the amounts appropriated in this section, funding is
25 for the evaluation of mathematics textbooks, other instructional
26 materials, and diagnostic tools to determine the extent to which they
27 are aligned with the state standards. Once the evaluations have been
28 conducted, results will be shared with math teachers, other educators,
29 and community members for the purposes of validating the conclusions
30 and then selecting up to three curricula, supporting materials, and
31 diagnostic instruments as those best able to assist students to learn
32 and teachers to teach the content of international standards. In
33 addition, the office of the superintendent shall continue to provide
34 support and information on essential components of comprehensive,
35 school-based reading programs.

36 (28) Within the amounts appropriated in this section, funding is
37 for the mathematics helping corps subject to the following conditions
38 and limitations:

1 (a) In order to increase the availability and quality of technical
2 mathematics assistance statewide, the superintendent of public
3 instruction shall employ mathematics school improvement specialists to
4 provide assistance to schools and districts. The specialists shall be
5 hired by and work under the direction of a statewide school improvement
6 coordinator. The mathematics improvement specialists shall not be
7 permanent employees of the superintendent of public instruction.

8 (b) The school improvement specialists shall provide the following:

9 (i) Assistance to schools to disaggregate student performance data
10 and develop improvement plans based on those data;

11 (ii) Consultation with schools and districts concerning their
12 performance on the Washington assessment of student learning and other
13 assessments emphasizing the performance on the mathematics assessments;

14 (iii) Consultation concerning curricula that aligns with the
15 essential academic learning requirements emphasizing the academic
16 learning requirements for mathematics, the Washington assessment of
17 student learning, and meets the needs of diverse learners;

18 (iv) Assistance in the identification and implementation of
19 research-based instructional practices in mathematics;

20 (v) Staff training that emphasizes effective instructional
21 strategies and classroom-based assessment for mathematics;

22 (vi) Assistance in developing and implementing family and community
23 involvement programs emphasizing mathematics; and

24 (vii) Other assistance to schools and school districts intended to
25 improve student mathematics learning.

26 (29) Within the amounts appropriated in this section, funding is
27 for the improvement of reading achievement and implementation of
28 research-based reading models. The superintendent shall evaluate
29 reading curriculum programs and other instructional materials to
30 determine the extent to which they are aligned with state standards.
31 A report of the analyses shall be made available to school districts.
32 The superintendent shall report to districts the assessments that are
33 available to screen and diagnose reading difficulties, and shall
34 provide training on how to implement a reading assessment system.
35 Resources may also be used to disseminate grade level expectations and
36 develop professional development modules and web-based materials.

37 (30) \$30,706,000 of the general fund--federal appropriation is

1 provided for the reading first program under Title I of the no child
2 left behind act.

3 (31) \$500,000 of the general fund--state appropriation for fiscal
4 year 2008 is provided solely for the office of the superintendent of
5 public instruction to award five grants to parent, community, and
6 school district partnership programs that will meet the unique needs of
7 different groups of students in closing the achievement gap. The
8 legislature intends that the pilot programs will help students meet
9 state learning standards, achieve the skills and knowledge necessary
10 for college or the workplace, reduce the achievement gap, prevent
11 dropouts, and improve graduation rates.

12 (a) The pilot programs shall be designed in such a way as to be
13 supplemental to educational services provided in the district and shall
14 utilize a community partnership based approach to helping students and
15 their parents.

16 (b) The grant recipients shall work in collaboration with the
17 office of the superintendent of public instruction to develop
18 measurable goals and evaluation methodologies for the pilot programs.
19 \$25,000 of this appropriation may be used by the office of the
20 superintendent of public instruction to hold a statewide meeting to
21 disseminate successful strategies developed by the grantees.

22 (c) The office of the superintendent of public instruction shall
23 issue a report to the legislature in the 2009 session on the progress
24 of each of the pilot programs.

25 (32) Within the amounts appropriated in this section, funding is
26 for the office of the superintendent of public instruction to support
27 and award Washington community learning center program grants pursuant
28 to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student
29 learning opportunities and achievement). If the bill is not enacted by
30 June 30, 2007, the amounts provided in this subsection shall lapse.

31 (33) Within the amounts appropriated in this section, funding is
32 for the elimination of the lunch co-pay for students in grades
33 kindergarten through third grade that are eligible for reduced price
34 lunch.

35 (34) Within the amounts appropriated in this section, funding is
36 for the development of mathematics support activities provided by
37 community organizations in after school programs. Pursuant to Second
38 Substitute House Bill No. 1906 (improving mathematics and science

1 education), the office of the superintendent of public instruction
2 shall administer grants to community organizations that partner with
3 school districts to provide these activities and develop a mechanism to
4 report program and student success.

5 (35) Within the amounts appropriated in this section, funding is
6 for: (a) The meals for kids program under RCW 28A.235.145 through
7 28A.235.155; (b) to eliminate the breakfast co-pay for students
8 eligible for reduced price lunch; and (c) for additional assistance for
9 school districts initiating a summer food service program.

10 (36) Within the amounts appropriated in this section, funding is
11 for the Washington reading corps. The superintendent shall allocate
12 reading corps members to low-performing schools and school districts
13 that are implementing comprehensive, proven, research-based reading
14 programs. Two or more schools may combine their Washington reading
15 corps programs. Grants provided under this section may be used by
16 school districts for expenditures from September 2007 through August
17 31, 2009.

18 (37) Within the amounts appropriated in this section, funding is
19 for grants to school districts to provide a continuum of care for
20 children and families to help children become ready to learn. Grant
21 proposals from school districts shall contain local plans designed
22 collaboratively with community service providers. If a continuum of
23 care program exists in the area in which the school district is
24 located, the local plan shall provide for coordination with existing
25 programs to the greatest extent possible. Grant funds shall be
26 allocated pursuant to RCW 70.190.040.

27 (38) Within the amounts appropriated in this section, funding is
28 for improving technology infrastructure, monitoring and reporting on
29 school district technology development, promoting standards for school
30 district technology, promoting statewide coordination and planning for
31 technology development, and providing regional educational technology
32 support centers, including state support activities, under chapter
33 28A.650 RCW. The superintendent of public instruction shall coordinate
34 a process to facilitate the evaluation and provision of online
35 curriculum courses to school districts which includes the following:
36 Creation of a general listing of the types of available online
37 curriculum courses; a survey conducted by each regional educational
38 technology support center of school districts in its region regarding

1 the types of online curriculum courses desired by school districts; a
2 process to evaluate and recommend to school districts the best online
3 courses in terms of curriculum, student performance, and cost; and
4 assistance to school districts in procuring and providing the courses
5 to students.

6 (39) Within the amounts appropriated in this section, funding is
7 for the development and posting of web-based instructional tools,
8 assessment data, and other information that assists schools and
9 teachers implementing higher academic standards.

10 (40) Within the amounts appropriated in this section, funding is
11 for the operation of the center for the improvement of student learning
12 pursuant to RCW 28A.300.130.

13 (41) Within the amounts appropriated in this section, funding is
14 for one-time allocations for technology upgrades and improvements. The
15 funding shall be allocated based on \$3,000 for each elementary school,
16 \$6,000 for each middle or junior high school, and \$11,000 for each high
17 school. In cases where a particular school's grade span or
18 configuration does not fall into these categories, the office of
19 superintendent of public instruction will develop an allocation to that
20 school that recognizes the unique characteristics but maintains the
21 proportionate allocation identified in this subsection.

22 (42) Within the amounts appropriated in this section, funding is
23 for costs associated with office of the superintendent of public
24 instruction establishing a statewide director of technology position
25 pursuant to Second Substitute House Bill No. 1906 (improving
26 mathematics and science education).

27 (43)(a) Within the amounts appropriated in this section, funding is
28 for the following bonuses for teachers who hold valid, unexpired
29 certification from the national board for professional teaching
30 standards and who are teaching in a Washington public school, subject
31 to the following conditions and limitations:

32 (i) For national board certified teachers, a bonus of \$5,000 per
33 teacher in fiscal year 2008 and adjusted for inflation in fiscal year
34 2009. Beginning in the 2007-2008 school year and thereafter, national
35 board certified teachers who become public school principals shall
36 continue to receive this bonus for as long as they are principals and
37 maintain the national board certification;

1 (ii) During the 2007-2008 school year, for national board certified
2 teachers who teach in schools where at least 70 percent of student
3 headcount enrollment is eligible for the federal free or reduced price
4 lunch program, an additional \$5,000 annual bonus to be paid in one lump
5 sum. Beginning in the 2008-2009 school year and thereafter, an
6 additional \$5,000 annual bonus shall be paid to national board
7 certified teachers who teach in either: (A) High schools where at
8 least 50 percent of student headcount enrollment is eligible for
9 federal free or reduced price lunch, (B) middle schools where at least
10 60 percent of student headcount enrollment is eligible for federal free
11 or reduced price lunch, or (C) elementary schools where at least 70
12 percent of student headcount enrollment is eligible for federal free or
13 reduced price lunch; and

14 (iii) The superintendent of public instruction shall adopt rules to
15 ensure that national board certified teachers meet the qualifications
16 for bonuses under (a)(ii) of this subsection for less than one full
17 school year receive bonuses in a pro-rated manner.

18 (b) Included in the amounts provided in this subsection are amounts
19 for mandatory fringe benefits. Unless Senate Bill No. 6657 (salary
20 bonuses for individuals certified by the national board for
21 professional teaching standards) is enacted by June 30, 2008, the
22 annual bonus shall not be included in the definition of "earnable
23 compensation" under RCW 41.32.010(10).

24 (c) For purposes of this subsection, "the percent of the student
25 headcount enrollment eligible for the federal free or reduced price
26 lunch program" shall be defined as: (i) For the 2007-08 and the 2008-
27 09 school years, schools in which the prior year percentage of students
28 eligible for the federal free and reduced price lunch program meets the
29 criteria specified in subsection (41)(a)(ii) of this section; and (ii)
30 in the 2008-09 school year, any school that met the criterion in (c)(i)
31 of this subsection in the 2007-08 school year.

32 (d) Within the amounts appropriated in this subsection, the office
33 of superintendent of public instruction shall revise rules to allow
34 teachers who hold valid, unexpired certification from the national
35 board for professional teaching standards and who are teaching at the
36 Washington school for the deaf or Washington school for the blind, to
37 receive the annual bonus amounts specified in this subsection if they
38 are otherwise eligible.

1 (44) Within the amounts appropriated in this section, funding is
2 for the implementation of Second Substitute Senate Bill No. 6377
3 (career and technical education).

4 (45) \$3,900,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely for an allocation of four dollars and nine
6 cents per full-time equivalent student, or as much as the funding in
7 this subsection will allow, to maintain and improve library materials,
8 collections, and services. The funding provided in this subsection
9 shall be used to augment current funding for librarian programs
10 provided through basic education and other existing funding mechanisms.
11 In order to receive allocations under this section, school districts
12 must agree that to the maximum extent possible they will ensure that
13 library programs and services are equitably provided throughout the
14 district.

15 (46) Within the amounts appropriated in this section, funding is
16 for the implementation of Second Substitute Senate Bill No. 6483 (local
17 farms-healthy kids and communities).

18 (47) Within the amounts appropriated in this section, funding is
19 for the implementation of Engrossed Second Substitute Senate Bill No.
20 6673 (student learning opportunities) which requires the office of the
21 superintendent of public instruction to explore online curriculum
22 support in languages other than English.

23 (48) Within the amounts appropriated in this section, funding is
24 for grants to five skills centers to develop and plan for
25 implementation of integrated English language development/career skills
26 programs that pair English language development teachers with
27 career/technical education instructors in the classroom. The office of
28 the superintendent of public instruction and skill center staff shall
29 work with the state board for community and technical colleges I-BEST
30 program staff and local community and technical college program staff
31 to develop the program to assure critical program elements are included
32 and that the skill center programs provide a seamless transition for
33 high school students to the community and technical college programs
34 for students choosing that pathway. The request for proposal or grant
35 application shall be issued no later than May 1, 2008, so that grant
36 recipients can begin program planning and development efforts on July
37 1, 2008. The superintendent of public instruction shall provide the

1 resulting implementation plans to the governor and the appropriate
2 committees of the legislature by November 1, 2008.

3 (49) Within the amounts appropriated in this section, funding is
4 for support of public high schools' participation in the FIRST robotics
5 program. The office of the superintendent of public instruction shall
6 issue grants not to exceed \$10,000 per school to be used for teacher
7 stipends, registration fees, equipment, and other costs associated with
8 direct participation in the program. High-poverty schools and schools
9 starting up robotics programs shall be given priority in funding.

10 (50) In addition to other reductions, the reduced appropriations in
11 this section reflect an additional (~~(\$499,000)~~) \$602,000 reduction in
12 administrative costs required by Engrossed Substitute Senate Bill No.
13 5460 (reducing state government administrative costs). These
14 administrative reductions shall be achieved, to the greatest extent
15 possible, by reducing those administrative costs that do not affect
16 direct client services or direct service delivery or programs.

17 (51) \$1,743,000 of the general fund--federal appropriation is
18 provided to support improvements in the use of educational technology
19 consistent with Title II, part D of the elementary and secondary
20 education act.

21 **Sec. 1411.** 2009 c 4 s 505 (uncodified) is amended to read as
22 follows:

23 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
24 **ASSISTANCE PROGRAM**

25	General Fund--State Appropriation (FY 2008)	\$68,381,000
26	General Fund--State Appropriation (FY 2009)	((\$84,654,000))
27		<u>\$86,268,000</u>
28	General Fund--Federal Appropriation	((\$360,660,000))
29		<u>\$387,727,000</u>
30	Education Legacy Trust Account--State	
31	Appropriation	45,953,000
32	TOTAL APPROPRIATION	((\$559,648,000))
33		<u>\$588,329,000</u>

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

36 (1) The general fund--state appropriations in this section are
37 subject to the following conditions and limitations:

1 (a) The appropriations include such funds as are necessary to
2 complete the school year ending in the fiscal year and for prior fiscal
3 year adjustments.

4 (b) Funding for school district learning assistance programs shall
5 be allocated at maximum rates of \$220.34 per funded student for the
6 2007-08 school year and \$265.08 per funded student for the 2008-09
7 school year exclusive of salary and benefit adjustments provided under
8 section 504 of this act.

9 (c) A school district's funded students for the learning assistance
10 program shall be the sum of the following as appropriate:

11 (i) The district's full-time equivalent enrollment in grades K-12
12 for the prior school year multiplied by the district's percentage of
13 October headcount enrollment in grades K-12 eligible for free or
14 reduced price lunch in the prior school year; and

15 (ii) If, in the prior school year, the district's percentage of
16 October headcount enrollment in grades K-12 eligible for free or
17 reduced price lunch exceeded forty percent, subtract forty percent from
18 the district's percentage and multiply the result by the district's K-
19 12 annual average full-time equivalent enrollment for the prior school
20 year.

21 (d) In addition to amounts allocated in (b) and (c) of this
22 subsection, an additional amount shall be allocated to a school
23 district for each school year in which the district's allocation is
24 less than the amount the district received for the general fund--state
25 learning assistance program allocation in the 2004-05 school year. The
26 amount of the allocation in this section shall be sufficient to
27 maintain the 2004-05 school year allocation.

28 (e) If Second Substitute Senate Bill No. 6673 (student learning
29 opportunities) is enacted by June 30, 2008, in addition to the amounts
30 allocated in (b), (c), and (d) of this subsection, an additional amount
31 shall be allocated to school districts with high concentrations of
32 poverty and English language learner students beginning in the 2008-
33 2009 school year, subject to the following rules and conditions:

34 (i) To qualify for additional funding under this subsection, a
35 district's October headcount enrollment in grades kindergarten through
36 grade twelve must have at least twenty percent enrolled in the
37 transitional bilingual instruction program based on an average of the
38 program headcount taken in October and May of the prior school year;

1 and must also have at least forty percent eligible for free or reduced
2 price lunch based on October headcount enrollment in grades
3 kindergarten through twelve in the prior school year.

4 (ii) Districts meeting the specifications in (e)(i) of this
5 subsection shall receive additional funded students for the learning
6 assistance program at the rates specified in subsection (1)(b) of this
7 section. The number of additional funded student units shall be
8 calculated by subtracting twenty percent from the district's percent
9 transitional bilingual instruction program enrollment as defined in
10 (e)(i) of this subsection, and the resulting percent shall be
11 multiplied by the district's kindergarten through twelve annual average
12 full-time equivalent enrollment for the prior school year.

13 (2) The general fund--federal appropriation in this section is
14 provided for Title I Part A allocations of the no child left behind act
15 of 2001.

16 (3) Small school districts are encouraged to make the most
17 efficient use of the funding provided by using regional educational
18 service district cooperatives to hire staff, provide professional
19 development activities, and implement reading and mathematics programs
20 consistent with research-based guidelines provided by the office of the
21 superintendent of public instruction.

22 (4) A school district may carry over from one year to the next up
23 to 10 percent of the general fund--state or education legacy trust
24 funds allocated under this program; however, carryover funds shall be
25 expended for the learning assistance program.

26 (5) School districts are encouraged to coordinate the use of these
27 funds with other federal, state, and local sources to serve students
28 who are below grade level and to make efficient use of resources in
29 meeting the needs of students with the greatest academic deficits.

30 (6) Within the amounts appropriated in this section, funding is for
31 the implementation of Engrossed Second Substitute Senate Bill No. 6673
32 (student learning opportunities) which establishes the extended
33 learning program to provide additional instructional services for
34 eligible students in grades eight, eleven, and twelve during the
35 regular school day, evenings, on weekends, or at other times in order
36 to meet the needs of these students. This funding is in addition to
37 the estimated \$986,000 of associated compensation increases associated
38 with this legislation in section 504 of this act.

1 **Sec. 1412.** 2009 c 4 s 506 (uncodified) is amended to read as
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**
4 **PROGRAM**

5 Student Achievement Account--State Appropriation	
6 (FY 2008)	\$423,369,000
7 Student Achievement Account--State Appropriation	
8 (FY 2009)	(\$436,910,000)
9	<u>\$0</u>
10 <u>General Fund--Federal Appropriation</u>	<u>\$436,910,000</u>
11 TOTAL APPROPRIATION	\$860,279,000

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

14 (1) Funding for school district student achievement programs shall
15 be allocated at a maximum rate of \$450.00 per FTE student for the 2007-
16 08 school year and \$458.10 per FTE student for the 2008-09 school year.
17 For the purposes of this section, FTE student refers to the annual
18 average full-time equivalent enrollment of the school district in
19 grades kindergarten through twelve for the prior school year, as
20 reported to the office of the superintendent of public instruction by
21 August 31st of the previous school year.

22 (2) The appropriation is allocated for the following uses as
23 specified in RCW 28A.505.210:

24 (a) To reduce class size by hiring certificated elementary
25 classroom teachers in grades K-4 and paying nonemployee-related costs
26 associated with those new teachers;

27 (b) To make selected reductions in class size in grades 5-12, such
28 as small high school writing classes;

29 (c) To provide extended learning opportunities to improve student
30 academic achievement in grades K-12, including, but not limited to,
31 extended school year, extended school day, before-and-after-school
32 programs, special tutoring programs, weekend school programs, summer
33 school, and all-day kindergarten;

34 (d) To provide additional professional development for educators
35 including additional paid time for curriculum and lesson redesign and
36 alignment, training to ensure that instruction is aligned with state
37 standards and student needs, reimbursement for higher education costs
38 related to enhancing teaching skills and knowledge, and mentoring

1 programs to match teachers with skilled, master teachers. The funding
2 shall not be used for salary increases or additional compensation for
3 existing teaching duties, but may be used for extended year and
4 extended day teaching contracts;

5 (e) To provide early assistance for children who need
6 prekindergarten support in order to be successful in school; or

7 (f) To provide improvements or additions to school building
8 facilities which are directly related to the class size reductions and
9 extended learning opportunities under (a) through (c) of this
10 subsection (2).

11 (3) The superintendent of public instruction shall distribute the
12 school year allocation according to the monthly schedule defined in RCW
13 28A.505.220.

(End of part)

PART XV
HIGHER EDUCATION

Sec. 1501. 2009 c 4 s 603 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2008)	\$373,726,000
General Fund--State Appropriation (FY 2009)	\$358,727,000
General Fund--Private/Local Appropriation	(\$300,000)
	<u>\$350,000</u>
Education Legacy Trust Account--State	
Appropriation	\$43,181,000
Accident Account--State Appropriation	\$6,513,000
Medical Aid Account--State Appropriation	\$6,371,000
TOTAL APPROPRIATION	(\$788,818,000)
	<u>\$788,868,000</u>

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

(1) \$15,744,000 of the education legacy trust account--state appropriation is to expand general enrollments by 625 student FTEs in fiscal year 2008 and by an additional 625 student FTEs in fiscal year 2009. Of these, 165 FTEs in 2008 and 165 FTEs in 2009 are expected to be graduate student FTEs.

(2) \$6,975,000 of the education legacy trust account--state appropriation is to expand math and science undergraduate enrollments by 250 student FTEs in each fiscal year. The programs expanded shall include mathematics, engineering, and the physical sciences. The university shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in math and science programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$85,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for operating support of the
2 Washington state academy of sciences, authorized by chapter 70.220 RCW.

3 (4) \$100,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$100,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for operating support of the
6 William D. Ruckelshaus center.

7 (5) \$500,000 of the education legacy trust account--state
8 appropriation is provided solely to expand the number of TRIO eligible
9 students served in the student support services program at the
10 University of Washington by 250 students each year. TRIO students
11 include low-income, first-generation, and college students with
12 disabilities. The student support services program shall report
13 annually to the office of financial management and the appropriate
14 policy and fiscal committees of the legislature on the retention and
15 completion rates of students served through this appropriation.
16 Retention rates shall continue to exceed 85 percent for TRIO students
17 in this program.

18 (6) \$84,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$84,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely to establish the state
21 climatologist position.

22 (7) \$25,000 of the general fund--state appropriation for fiscal
23 year 2008 and \$125,000 of the general fund--state appropriation for
24 fiscal year 2009 are provided solely for the William D. Ruckelshaus
25 center to identify and carry out, or otherwise appropriately support,
26 a process to identify issues that have led to conflict around land use
27 requirements and property rights, and explore practical and effective
28 ways to resolve or reduce that conflict. A report with conclusions and
29 recommendations shall be submitted to the governor and the chairs of
30 the appropriate committees of the legislature by October 31, 2007.
31 Work will continue after the submission of the initial report, to
32 include continuing research and the development of financial and policy
33 options and a progress report on fact finding efforts and stakeholder
34 positions due December 1, 2008.

35 (8) \$3,830,000 of the education legacy trust account--state
36 appropriation is provided solely to expand health sciences capacity at
37 the University of Washington. Consistent with the medical and dental
38 school extension program appropriations at Washington State University

1 and Eastern Washington University, funding is provided to expand
2 classes at the University of Washington. Medical and dental students
3 shall take the first year of courses for this program at the Riverpoint
4 campus in Spokane and the second year of courses at the University of
5 Washington in Seattle.

6 (9) The higher education coordinating board, the office of
7 financial management, and the higher education institutions negotiated
8 a set of performance measures, checkpoints, and targets in 2006. By
9 July 31, 2007, the university and the board shall review and revise
10 these targets based on per-student funding in the 2007-09
11 appropriations act. In addition, the board shall compile comparable
12 data from peer institutions in the eight global challenge states
13 identified in the Washington Learns study.

14 The checkpoints previously agreed by the board and the University
15 of Washington are enumerated as follows:

16 (a) Increase the combined number of baccalaureate degrees conferred
17 per year at all campuses to 8,850;

18 (b) Increase the combined number of high-demand baccalaureate
19 degrees conferred at all campuses per year to 1,380;

20 (c) Increase the combined number of advanced degrees conferred per
21 year at all campuses to 3,610;

22 (d) Improve the six-year graduation rate for baccalaureate students
23 to 74.7 percent;

24 (e) Improve the three-year graduation rate for students who
25 transfer with an associates degree to 76.0 percent;

26 (f) Improve the freshman retention rate to 93.0 percent;

27 (g) Improve time to degree for baccalaureate students to 92 percent
28 at the Seattle campus and 92.5 percent at the Bothell and Tacoma
29 campuses, measured by the percent of admitted students who graduate
30 within 125 percent of the credits required for a degree; and

31 (h) The institution shall provide a report on Pell grant
32 recipients' performance within each of the measures included in this
33 subsection.

34 The University of Washington shall report its progress and ongoing
35 efforts toward meeting the provisions of this section to the higher
36 education coordinating board prior to November 1, 2009.

37 (10) \$750,000 of the education legacy trust account appropriation
38 is provided solely to increase participation in international learning

1 opportunities, particularly for students with lower incomes who would
2 otherwise not have the chance to study, work, or volunteer outside the
3 United States.

4 (11) \$75,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$75,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for forestry research by the
7 Olympic natural resources center.

8 (12) \$25,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$25,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely for coastal marine research by the
11 Olympic natural resources center.

12 (13) \$95,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$30,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for increased education, training,
15 and support services for the families of children with autism, and for
16 the production and distribution of digital video discs in both English
17 and Spanish about strategies for working with people with autism.

18 (14) \$2,900,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$3,400,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for operating support for the
21 department of global health.

22 (15) In an effort to introduce students to and inform students of
23 post-secondary opportunities in Washington state, by October 1st of
24 each year the university shall report to the higher education
25 coordinating board progress towards developing and implementing
26 outreach programs designed to increase awareness of higher education to
27 K-12 populations.

28 (16) \$150,000 of the general fund--state appropriation for fiscal
29 year 2008 is provided solely for the rural technology initiative
30 (initiative) at the University of Washington and the transportation
31 research group (group) at the Washington State University to conduct an
32 economic analysis of the costs to safely provide log hauling services.
33 The initiative will be the lead investigator and administer the
34 project. Neither the University of Washington nor the Washington State
35 University may make a deduction for administrative costs. The project
36 shall rely upon the Washington state patrol for determination of basic
37 safe characteristics, consistent with applicable state and federal law.
38 The analysis shall include:

1 (a) An estimate of log haulers' cost to operate and maintain a
2 basic and safe log truck without operator including:

3 (i) Variable costs such as fuel, etc;

4 (ii) Quasi-variable costs such as:

5 (A) Tires, brakes, wrappers, and other safety related equipment;

6 (B) Vehicle insurance, taxes, fees, etc;

7 (C) Maintenance costs such as oil, lubrication, and minor repairs;

8 and

9 (D) Depreciation and replacement costs;

10 (b) The source of these cost estimates where possible should be
11 independent vendors of equipment and services or already existing
12 studies;

13 (c) A calculation of costs for safe operation expressed as per
14 mile, hour or load volume including consideration for regional
15 differences as well as off-road vs. on-road;

16 (d) An evaluation of comparable trucking services; and

17 (e) A review of log truck safety statistics in Washington state.

18 In conducting the analysis, the initiative shall consult with the
19 northwest log truckers cooperative, the Washington trucking
20 association, the Washington contract loggers association, the
21 Washington farm forestry association, and the Washington forest
22 protection association. By June 30, 2008, the initiative shall provide
23 a report of its findings to the legislature and governor and distribute
24 the findings to interested industry groups.

25 (17) \$500,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$500,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely to the Burke museum to support
28 science and social science educational programs including public
29 outreach programs, new educational programs and resources, web-based
30 interactive learning experiences, teacher training, and traveling
31 educational opportunities.

32 (18) \$150,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$300,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely to the institute for learning and
35 brain sciences.

36 (19) \$30,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$30,000 of the general fund--state appropriation for
38 fiscal year 2009 are provided solely for the University of Washington

1 to gather data and conduct research associated with preparing the
2 basin-wide assessment and to solicit nominations for review and
3 submittal to the Washington academy of sciences for the creation of the
4 Puget Sound science panel pursuant to Engrossed Second Substitute
5 Senate Bill No. 5372 (Puget Sound partnership).

6 (20)(a) \$500,000 of the general fund--state appropriation for
7 fiscal year 2008 is provided solely for the University of Washington
8 school of law loan repayment assistance program endowment fund. The
9 University of Washington shall conduct fund-raising activities to
10 increase private sector support of the endowment program and \$250,000
11 of the appropriation in this subsection is contingent on a private
12 sector match. Funds in the law school repayment assistance program
13 endowment fund shall be used to provide graduates who pursue careers in
14 public interest legal positions with payment assistance toward their
15 student loan debt.

16 (b) The University of Washington law school shall report to the
17 legislature by December 1, 2010, information about the loan repayment
18 assistance program. The report shall contain at least the following
19 information:

- 20 (i) A financial summary of the endowment program;
- 21 (ii) The number of individuals receiving assistance from the
22 program and information related to the positions in which these
23 individuals are working;
- 24 (iii) Any available information regarding the effect of the loan
25 repayment assistance program on student recruitment and enrollment; and
- 26 (iv) Other information the school of law deems relevant to the
27 evaluation of the program.

28 (c) In its rules for administering the program, the school of law
29 must make provision for cases of hardship or exceptional circumstances,
30 as defined by the school of law. Examples of such circumstances
31 include, but are not limited to, family leave, medical leave, illness
32 or disability, and loss of employment.

33 (d) The loan repayment assistance program must be available to
34 otherwise eligible graduates of the law school who work in positions
35 with nonprofit organizations or government agencies. Such positions
36 must be located within Washington state. Government agencies shall
37 include the various branches of the military.

1 (21) \$54,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$54,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the University of Washington
4 geriatric education center to develop a voluntary adult family home
5 certification program. In addition to the minimum qualifications
6 required under RCW 70.128.120, individuals participating in the
7 voluntary adult family home certification program shall complete fifty-
8 two hours of class requirements as established by the University of
9 Washington geriatric education center. Individuals completing the
10 requirements of RCW 70.128.120 and the voluntary adult family home
11 certification program shall be issued a certified adult family home
12 license by the department of social and health services. The
13 department of social and health services shall adopt rules implementing
14 the provisions of this subsection.

15 (22) \$22,000 of the general fund--state appropriation for fiscal
16 year 2008 and \$97,000 of the general fund--state appropriation for
17 fiscal year 2009 are provided solely for the William D. Ruckelshaus
18 center for implementation of section 5 of Engrossed Second Substitute
19 House Bill No. 3123 (nurse staffing). If section 5 of the bill is not
20 enacted by June 30, 2008, the amount provided in this subsection shall
21 lapse.

22 (23) \$1,000,000 of the general fund--state appropriation for fiscal
23 year 2009 is provided solely to establish an e-Science institute that
24 will provide infrastructure and consulting expertise to university
25 researchers in advanced computational techniques needed to capture,
26 store, organize, access, mine, visualize, and interpret massive data
27 sets.

28 (24) \$50,000 of the general fund--state appropriation for fiscal
29 year 2009 is provided solely for incentive grants to support medical
30 research or medical training projects focused upon improvement of
31 services to persons with developmental disabilities. The university
32 shall report to appropriate committees of the legislature by December
33 1, 2008, on incentive grants awarded, and other efforts to improve
34 training for medical students in treating persons with developmental
35 disabilities.

36 (25) When implementing reductions in fiscal year 2009, the
37 University of Washington shall minimize impacts on academic programs,

1 maximize reductions in administration, and not reduce enrollments below
2 enrollment levels referenced in 2008 c 329 s 604 and section 601 of
3 this act.

4 **Sec. 1502.** 2009 c 4 s 606 (uncodified) is amended to read as
5 follows:

6 **FOR CENTRAL WASHINGTON UNIVERSITY**

7	General Fund--State Appropriation (FY 2008)	\$47,691,000
8	General Fund--State Appropriation (FY 2009)	(\$45,272,000)
9		<u>\$45,275,000</u>
10	Education Legacy Trust Account--State	
11	Appropriation	\$16,219,000
12	Pension Funding Stabilization Account	
13	Appropriation	\$4,330,000
14	TOTAL APPROPRIATION	(\$113,512,000)
15		<u>\$113,515,000</u>

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

18 (1) \$2,474,000 of the education legacy trust account--state
19 appropriation is to increase general enrollments by 70 FTE students in
20 fiscal year 2008 and by an additional 211 FTE enrollments in fiscal
21 year 2009. At least 30 of the additional fiscal year 2009 enrollments
22 are expected to be graduate students.

23 (2) \$1,816,000 of the education legacy trust account--state
24 appropriation for fiscal year 2008 is to increase math and science
25 enrollments by 105 FTE students in fiscal year 2008 and by an
26 additional 89 FTE students in fiscal year 2009. The university shall
27 provide data to the office of financial management regarding math and
28 science enrollments, graduations, and employment of college graduates
29 related to state investments in math and science enrollment programs.
30 Data may be provided through the centralized higher education
31 enrollment system or through an alternative means agreed to by the
32 institutions and the office of financial management.

33 (3) \$1,801,000 of the education legacy trust account--state
34 appropriation is to increase high-demand undergraduate enrollments by
35 85 student FTEs in fiscal year 2008 and by an additional 70 FTE
36 students in fiscal year 2009. The programs expanded shall include, but
37 are not limited to, bilingual education and information technology.

1 The university shall provide data to the office of financial management
2 that is required to track changes in enrollments, graduations, and the
3 employment of college graduates related to state investments in high-
4 demand enrollment programs. Data may be provided through the public
5 centralized higher education enrollment system or through an
6 alternative means agreed to by the institutions and the office of
7 financial management.

8 (4) \$500,000 of the education legacy trust account--state
9 appropriation is provided solely to expand the number of TRIO eligible
10 students served in the student support services program at Central
11 Washington University by 250 students each year. TRIO students include
12 low-income, first-generation, and college students with disabilities.
13 The student support services program shall report annually to the
14 office of financial management and the appropriate policy and fiscal
15 committees of the legislature on the retention and completion rates of
16 students served through this appropriation. Retention rates shall
17 continue to exceed 85 percent for TRIO students in this program.

18 (5) The higher education coordinating board, the office of
19 financial management, and the higher education institutions negotiated
20 a set of performance measures, checkpoints, and targets in 2006. By
21 July 31, 2007, the university and the board shall review and revise
22 these targets based on per-student funding in the 2007-09
23 appropriations act. In addition, the board shall compile comparable
24 data from peer institutions in the eight global challenge states
25 identified in the Washington Learns study.

26 The checkpoints previously agreed by the board and the Central
27 Washington University are enumerated as follows:

28 (a) Increase the number of baccalaureate degrees conferred per year
29 to 2,050;

30 (b) Increase the number of high-demand baccalaureate degrees
31 conferred per year to 49;

32 (c) Increase the number of advanced degrees conferred per year at
33 all campuses to 196;

34 (d) Improve the six-year graduation rate for baccalaureate students
35 to 51.1 percent;

36 (e) Improve the three-year graduation rate for students who
37 transfer with an associates degree to 72.3 percent;

38 (f) Improve the freshman retention rate to 78.2 percent;

1 (g) Improve time to degree for baccalaureate students to 86.6
2 percent, measured by the percent of admitted students who graduate
3 within 125 percent of the credits required for a degree; and

4 (h) The institution shall provide a report on Pell grant
5 recipients' performance within each of the measures included in this
6 section.

7 Central Washington University shall report its progress and ongoing
8 efforts toward meeting the provisions of this section to the higher
9 education coordinating board prior to November 1, 2009.

10 (6) \$500,000 of the education legacy trust account appropriation is
11 provided solely to implement Engrossed Substitute House Bill No. 1497
12 (Central Washington University operating fee waivers). If the bill is
13 not enacted by June 30, 2007, this appropriation shall lapse.

14 (7) In an effort to introduce students to and inform students of
15 post-secondary opportunities in Washington state, by October 1st of
16 each year the university shall report to the higher education
17 coordinating board progress towards developing and implementing
18 outreach programs designed to increase awareness of higher education to
19 K-12 populations.

20 (8) When implementing reductions in fiscal year 2009, Central
21 Washington University shall minimize impacts on academic programs,
22 maximize reductions in administration, and not reduce enrollments below
23 enrollment levels referenced in 2008 c 329 s 604 and section 601 of
24 this act.

25 **Sec. 1503.** 2009 c 4 s 609 (uncodified) is amended to read as
26 follows:

27 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
28 **ADMINISTRATION**

29	General Fund--State Appropriation (FY 2008)	\$7,008,000
30	General Fund--State Appropriation (FY 2009)	\$6,533,000
31	General Fund--Federal Appropriation	\$4,333,000
32	TOTAL APPROPRIATION	\$17,874,000

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

35 (1) (~~(\$87,000 of the general fund state appropriation for fiscal~~
36 ~~year 2008 and \$169,000 of the general fund state appropriation for~~
37 ~~fiscal year 2009 are provided solely to maintain and update a~~

1 ~~scholarship clearinghouse that lists every public and private~~
2 ~~scholarship available to Washington students))~~ Within the funds
3 appropriated in this section, the board shall maintain and update a
4 scholarship clearing house that lists every public and private
5 scholarship available to Washington students. The higher education
6 coordinating board shall develop a web-based interface for students and
7 families as well as a common application for these scholarships.

8 ~~(2) ((\$339,000 of the general fund--state appropriation for fiscal~~
9 ~~year 2008 and \$330,000 of the general fund--state appropriation for~~
10 ~~fiscal year 2009 are provided solely for implementation of))~~ Within the
11 funds appropriated in this section, the board shall implement Second
12 Substitute Senate Bill No. 5098 (the college bound scholarship). If
13 the bill is not enacted by June 30, 2007, the amounts provided in this
14 subsection shall lapse.

15 ~~(3) ((\$200,000 of the general fund--state appropriation for fiscal~~
16 ~~year 2008 and \$150,000 of the general fund--state appropriation for~~
17 ~~fiscal year 2009 are provided solely for implementation of))~~ Within the
18 funds appropriated in this section, the board shall implement Engrossed
19 Substitute House Bill No. 1131 (the passport to college promise). If
20 the bill is not enacted by June 30, 2007, the amounts provided in this
21 subsection shall lapse.

22 ~~(4) ((\$152,000 of the general fund--state appropriation for fiscal~~
23 ~~year 2008 and \$191,000 of the general fund--state appropriation for~~
24 ~~fiscal year 2009 are provided solely for administration of))~~ Within the
25 funds appropriated in this section, the board shall implement
26 conditional scholarships.

27 ~~(5) ((Except for moneys provided in this section for specific~~
28 ~~purposes, and to the extent that the executive director finds that the~~
29 ~~agency will not require the full amount appropriated for a fiscal year~~
30 ~~in this section, the unexpended appropriation shall be transferred to~~
31 ~~the state education trust account established under RCW 28B.92.140 for~~
32 ~~purposes of fulfilling unfunded scholarship commitments that the board~~
33 ~~made under its federal GEAR UP Grant 1-~~

34 ~~(6))~~ \$200,000 of the general fund--state appropriation is provided
35 solely to implement a capital facility and technology capacity study
36 which will compare the 10-year enrollment projections with the capital
37 facility requirements and technology application and hardware capacity

1 needed to deliver higher education programs for the period 2009-2019.

2 The higher education coordinating board shall:

3 (a) Develop the study in collaboration with the state board for
4 community and technical colleges, four-year universities, and the
5 Washington independent colleges;

6 (b) Determine the 10-year capital facilities and technology
7 application and hardware investment needed by location to deliver
8 higher education programs to additional student FTE;

9 (c) Estimate operational and capital costs of the additional
10 capacity; and

11 (d) Report findings to the legislature on October 1, 2008.

12 ~~((7) \$85,000 of the general fund state appropriation for fiscal~~
13 ~~year 2008 and \$127,000 of the general fund state appropriation for~~
14 ~~fiscal year 2009 are provided solely for the board to)) (6) Within the~~
15 ~~funds appropriated in this section, the board shall prepare a program~~
16 ~~and operating plan for a higher education center in the Kitsap county~~
17 ~~area. The plan shall be developed in consultation with an advisory~~
18 ~~committee of civic, business, and educational leaders from Clallam,~~
19 ~~Jefferson, Kitsap, and Mason counties. It shall include a projection~~
20 ~~of lower and upper division and graduate enrollment trends in the study~~
21 ~~area; a review of assessments of employer needs; an inventory of~~
22 ~~existing and needed postsecondary programs; recommended strategies for~~
23 ~~promoting active program participation in and extensive program~~
24 ~~offerings at the center by public and private baccalaureate~~
25 ~~institutions; and an estimate of operating and capital costs for the~~
26 ~~creation and operation of the center. The board shall submit its~~
27 ~~findings and recommendations to the governor and legislature by~~
28 ~~December 1, 2008.~~

29 ~~((8) \$60,000 of the general fund state appropriation for fiscal~~
30 ~~year 2009 is provided solely for implementation of)) (7) Within the~~
31 ~~funds appropriated in this section, the board shall implement Engrossed~~
32 ~~House Bill No. 2641 (education performance agreements). If the bill is~~
33 ~~not enacted by June 30, 2008, the amount provided in this subsection~~
34 ~~shall lapse.~~

35 ~~((9)) (8) The higher education coordinating board, the department~~
36 ~~of licensing, and the department of health shall jointly review and~~
37 ~~report to appropriate policy committees of the legislature by December~~
38 ~~1, 2008, on barriers and opportunities for increasing the extent to~~

1 which veterans separating from duty are able to apply skills sets and
2 education required while in service to certification, licensure, and
3 degree requirements.

4 ~~((10) \$100,000 of the general fund--state appropriation for fiscal~~
5 ~~year 2009 is provided solely for the higher education coordinating~~
6 ~~board to)) (9) Within the funds appropriated in this section, the board~~
7 shall convene interested parties from Snohomish, Island, and Skagit
8 counties to consider the November 2007 site options and recommendations
9 for a new campus of the University of Washington in Snohomish county.
10 The three local communities shall develop a consensus recommendation on
11 a single preferred site and present the recommendation to the higher
12 education coordinating board. The higher education coordinating board
13 shall then present the single preferred site recommendation to the
14 appropriate legislative fiscal and policy committees by December 1,
15 2008.

16 **Sec. 1504.** 2009 c 4 s 610 (uncodified) is amended to read as
17 follows:

18 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**
19 **PROGRAMS**

20	General Fund--State Appropriation (FY 2008)	\$163,286,000
21	General Fund--State Appropriation (FY 2009)	\$188,498,000
22	General Fund--Federal Appropriation	\$13,113,000
23	Education Legacy Trust Account--State	
24	Appropriation	(((\$108,188,000))
25		<u>\$106,588,000</u>
26	TOTAL APPROPRIATION	(((\$473,085,000))
27		<u>\$471,485,000</u>

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

30 (1) \$154,760,000 of the general fund--state appropriation for
31 fiscal year 2008, \$178,707,000 of the general fund--state appropriation
32 for fiscal year 2009, \$49,902,000 of the education legacy trust account
33 appropriation for fiscal year 2008, \$40,050,000 of the education legacy
34 trust account appropriation for fiscal year 2009, and \$2,886,000 of the
35 general fund--federal appropriation are provided solely for student
36 financial aid payments under the state need grant; the state work study
37 program including a four percent administrative allowance; the

1 Washington scholars program; and the Washington award for vocational
2 excellence. All four programs shall increase grant awards sufficiently
3 to offset the full cost of the resident undergraduate tuition increases
4 authorized under this act.

5 (2) Within the funds appropriated in this section, eligibility for
6 the state need grant shall be expanded to include students with family
7 incomes at or below 70 percent of the state median family income,
8 adjusted for family size. Awards for students with incomes between 66
9 percent and 70 percent of the state median shall be 50 percent of the
10 award amount granted to those with incomes below 51 percent of the
11 median.

12 (3) To the extent that the executive director determines that the
13 agency will not award the full amount appropriated in subsection (1) of
14 this section for a fiscal year, unexpended funds shall be transferred
15 to the state education trust account established under RCW 28B.92.140
16 for purposes first of fulfilling the unfunded scholarship commitments
17 that the board made under its federal GEAR UP Grant 1.

18 (4) \$7,400,000 of the education legacy trust account appropriation
19 is provided solely for investment to fulfill the scholarship
20 commitments that the state incurs in accordance with Second Substitute
21 Senate Bill No. 5098 (the college bound scholarship). If the bill is
22 not enacted by June 30, 2007, the amount provided in this subsection
23 shall lapse.

24 (5) \$2,500,000 of the education legacy trust account--state
25 appropriation is provided solely to expand the gaining early awareness
26 and readiness for undergraduate programs project to at least 25
27 additional school districts.

28 (6) \$1,000,000 of the education legacy trust account--state
29 appropriation is provided solely to encourage more students to teach
30 secondary mathematics and science. \$500,000 of this amount is provided
31 to increase the future teacher scholarship and conditional loan program
32 by at least 35 students per year. \$500,000 of this amount is provided
33 to support state work study positions for students to intern in
34 secondary math and science classrooms.

35 (7) (~~(\$2,336,000)~~) \$736,000 of the education legacy trust
36 account--state appropriation for fiscal year 2009 is provided solely
37 for implementation of Engrossed Substitute House Bill No. 1131
38 (passport to college). Funds are provided for student scholarships,

1 and for incentive payments to the colleges they attend for
2 individualized student support services which may include, but are not
3 limited to, college and career advising, counseling, tutoring, costs
4 incurred for students while school is not in session, personal
5 expenses, health insurance, and emergency services. If the bill is not
6 enacted by June 30, 2007, the amount provided in this subsection shall
7 lapse.

8 (8) \$246,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$246,000 of the general fund--state appropriation for
10 fiscal year 2009 are for community scholarship matching grants and its
11 administration. To be eligible for the matching grant, nonprofit
12 groups organized under section 501(c)(3) of the federal internal
13 revenue code must demonstrate they have raised at least \$2,000 in new
14 moneys for college scholarships after the effective date of this
15 section. Groups may receive no more than one \$2,000 matching grant per
16 year and preference shall be given to groups affiliated with
17 scholarship America. Up to a total of \$46,000 per year of the amount
18 appropriated in this section may be awarded to a nonprofit community
19 organization to administer scholarship matching grants, with preference
20 given to an organization affiliated with scholarship America.

21 (9) \$75,000 of the general fund--state appropriation for fiscal
22 year 2008 and \$75,000 of the general fund--state appropriation for
23 fiscal year 2009 are provided solely for higher education student child
24 care matching grants under chapter 28B.135 RCW.

25 (10) \$500,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$500,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely for implementation of Engrossed
28 Substitute House Bill No. 1179 (state need grant). State need grants
29 provided to students enrolled in just three to five credit-bearing
30 quarter credits, or the equivalent semester credits, shall not exceed
31 the amounts appropriated in this subsection. By November 1 of each
32 year, the board shall report to the office of financial management and
33 to the operating budget committees of the house of representatives and
34 senate on the number of eligible but unserved students enrolled in just
35 three to five quarterly credits, or the semester equivalent, and the
36 estimated cost of serving them. If the bill is not enacted by June 30,
37 2007, the amounts provided in this subsection shall lapse.

1 (11) \$5,000,000 of the education legacy trust account appropriation
2 is provided solely to implement Engrossed Second Substitute House Bill
3 No. 1779 (GET ready for math and science). If the bill is not enacted
4 by June 30, 2007, the amount provided in this subsection shall lapse.

5 (12) \$1,250,000 of the general fund--state appropriation for fiscal
6 year 2009 is provided solely for the health professional scholarship
7 and loan program. The funds provided in this subsection (a) shall be
8 prioritized for health care deliver sites demonstrating a commitment to
9 serving the uninsured; and (b) shall be allocated between loan
10 repayments and scholarships proportional to current program
11 allocations.

12 **Sec. 1505.** 2009 c 4 s 613 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF EARLY LEARNING**

15	General Fund--State Appropriation (FY 2008)	\$62,362,000
16	General Fund--State Appropriation (FY 2009)	\$69,120,000
17	General Fund--Federal Appropriation	(\$192,192,000)
18		<u>\$201,512,000</u>
19	General Fund--Private/Local Appropriation	\$6,000
20	TOTAL APPROPRIATION	(\$323,680,000)
21		<u>\$333,000,000</u>

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

24 (1) \$47,919,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$56,437,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for early childhood education and
27 assistance program services.

28 (a) Of these amounts, \$10,284,000 is a portion of the biennial
29 amount of state matching dollars required to receive federal child care
30 and development fund grant dollars.

31 (b) Within the amounts provided in this subsection (1), the
32 department shall increase the number of children receiving early
33 childhood education and assistance program services by 2,250 slots.

34 (c) Within the amounts provided in this subsection (1), the
35 department shall increase the minimum provider per slot payment to
36 \$6,500 in fiscal year 2008. Any provider receiving slot payments

1 higher than \$6,500 shall receive a 2.0 percent vendor rate increase in
2 fiscal year 2008. All providers shall receive a 2.0 percent vendor
3 rate increase in fiscal year 2009.

4 (2) \$775,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$1,825,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely to: (a) Develop a quality rating
7 and improvement system; and (b) pilot the quality rating and
8 improvement system in multiple locations. Four of the pilot sites are
9 to be located within the following counties: Spokane, Kitsap, King, and
10 Yakima. The department shall analyze and evaluate the pilot sites and
11 report initial findings to the legislature by December 1, 2008. Prior
12 to statewide implementation of the quality rating and improvement
13 system, the department of early learning shall present the system to
14 the legislature and the legislature shall formally approve the
15 implementation of the system through the omnibus appropriations act or
16 by statute or concurrent resolution.

17 (3) \$850,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$850,000 of the general fund--state appropriation for
19 fiscal year 2009 are provided solely for the department to contract for
20 child care referral services.

21 (4) \$1,200,000 of the general fund--state appropriation for fiscal
22 year 2008 and \$800,000 of the general fund--state appropriation for
23 fiscal year 2009 are provided solely to develop and provide culturally
24 relevant supports for parents, family, and other caregivers. This
25 includes funding for the department to conduct a random sample survey
26 of parents to determine the types of early learning services and
27 materials parents are interested in receiving from the state. The
28 department shall report the findings to the appropriate policy and
29 fiscal committees of the legislature by October 1, 2008.

30 (5) \$250,000 of the general fund--state appropriation for fiscal
31 year 2008 and \$250,000 of the general fund--state appropriation for
32 fiscal year 2009 are provided solely for a child care consultation
33 pilot program linking child care providers with evidence-based and best
34 practice resources regarding caring for infants and young children who
35 present behavior concerns.

36 (6) \$500,000 of the general fund--state appropriation for fiscal
37 year 2008 and (~~(\$500,000)~~) \$400,000 of the general fund--state

1 appropriation for fiscal year 2009 are provided solely to expand the
2 child care career and wage ladder program created by chapter 507, Laws
3 of 2005.

4 (7) \$172,000 of the general fund--state appropriation for fiscal
5 year 2008 is provided solely for the department to purchase licensing
6 capability from the department of social and health services through
7 the statewide automated child welfare information system.

8 (8) \$1,100,000 of the general fund--state appropriation for fiscal
9 year 2008 and (~~(\$1,100,000)~~) \$1,025,000 of the general fund--state
10 appropriation for fiscal year 2009 are provided solely for a childcare
11 grant program for public community colleges and public universities.
12 A community college or university that employs collectively bargained
13 staff to operate childcare programs may apply for up to \$25,000 per
14 year from the department per each type of the following programs: Head
15 start, childcare, early childhood assistance and education. The
16 funding shall only be provided for salaries for collectively bargained
17 employees.

18 (9) Beginning October 1, 2007, the department shall be the lead
19 agency for and recipient of the federal child care and development fund
20 grant. Amounts within this grant shall be used to fund child care
21 licensing, quality initiatives, agency administration, and other costs
22 associated with child care subsidies. The department shall transfer a
23 portion of this grant to the department of social and health services
24 to partially fund the child care subsidies paid by the department of
25 social and health services on behalf of the department of early
26 learning.

27 (10) Prior to the development of an early learning information
28 system, the department shall submit to the education and fiscal
29 committees of the legislature a completed feasibility study and a
30 proposal approved by the department of information systems and the
31 information services board. The department shall ensure that any
32 proposal for the early learning information system includes the cost
33 for modifying the system as a result of licensing rule changes and
34 implementation of the quality rating and improvement system.

35 (11) The department, in conjunction with the early learning
36 advisory council, shall report by June 30, 2009, to the governor and
37 the appropriate committees of the legislature regarding the following:

1 (a) Administration of the state training and registry system,
2 including annual expenditures, participants, and average hours of
3 training provided per participant; and

4 (b) An evaluation of the child care resource and referral network
5 in providing information to parents and training and technical
6 assistance to child care providers.

7 (12) The department shall use child care development fund money to
8 satisfy the federal audit requirement of the improper payments act
9 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent
10 on the audits will not count against the five percent state limit on
11 administrative expenditures.

12 (13) \$150,000 of the general fund--state appropriation for fiscal
13 year 2009 is provided solely for the department of early learning to
14 work with the office of the superintendent of public instruction, and
15 collaborate with thrive by five Washington, to study and make
16 recommendations regarding the implementation of a statewide
17 kindergarten entry assessment. The department and the office of the
18 superintendent of public instruction shall jointly submit a report with
19 recommendations for implementing the kindergarten entry assessment to
20 the governor and the appropriate committees of the legislature by
21 December 15, 2008. In the study and development of the
22 recommendations, the department shall:

23 (a) Consult with early learning experts, including research and
24 educator associations, early learning and kindergarten teachers, and
25 Washington Indian tribes;

26 (b) Identify a preferred kindergarten entry assessment based on
27 research and examples of other assessments, and which is sensitive to
28 cultural and socioeconomic differences influencing the development of
29 young children;

30 (c) Recommend a plan for the use of the assessment in a pilot phase
31 and a voluntary use phase, and recommend a time certain when school
32 districts must offer the assessment;

33 (d) Recommend how to report the results of the assessment to
34 parents, the office of the superintendent of public instruction, and
35 the department of early learning in a common format, and for a
36 methodology for conducting the assessments;

37 (e) Analyze how the assessment could be used to improve instruction

1 for individual students entering kindergarten and identify whether and
2 how the assessment results could be used to improve the early learning
3 and K-12 systems, including the transition between the systems;

4 (f) Identify the costs of the assessment, including the time
5 required to administer the assessment; and

6 (g) Recommend how to ensure that the assessment shall not be used
7 to screen or otherwise preclude children from entering kindergarten if
8 they are otherwise eligible.

9 (14) \$120,000 of the general fund--state appropriation for fiscal
10 year 2009 is provided solely for encouraging private match investment
11 for innovative, existing local early learning coalitions to achieve one
12 or more of the following:

13 (a) Increase communities' abilities to implement their business
14 plans for comprehensive local and regional early learning systems;

15 (b) Involve parents in their children's education;

16 (c) Enhance coordination between the early childhood and K-12
17 system; or

18 (d) Improve training and support for raising the level of child
19 care givers' professional skills to ensure that children are healthy
20 and ready to succeed in school and life.

21 **Sec. 1506.** 2009 c 4 s 614 (uncodified) is amended to read as
22 follows:

23 **FOR THE STATE SCHOOL FOR THE BLIND**

24	General Fund--State Appropriation (FY 2008)	\$5,969,000
25	General Fund--State Appropriation (FY 2009)	(\$6,069,000)
26		<u>\$6,135,000</u>
27	General Fund--Private/Local Appropriation	\$1,561,000
28	TOTAL APPROPRIATION	(\$13,599,000)
29		<u>\$13,665,000</u>

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

32 (1) \$10,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$40,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely to defend the state's interpretive
35 position in the case of *Delyria & Koch v. Washington State School for*
36 *the Blind*.

1 (2) \$5,000 of the general fund--state appropriation for fiscal year
2 2009 is provided solely for increasing salaries for certificated
3 instructional staff by an average of one-half of one percent effective
4 July 1, 2008.

5 **Sec. 1507.** 2009 c 4 s 615 (uncodified) is amended to read as
6 follows:

7 **FOR THE STATE SCHOOL FOR THE DEAF**

8	General Fund--State Appropriation (FY 2008)	\$8,858,000
9	General Fund--State Appropriation (FY 2009)	(\$8,764,000)
10		<u>\$8,792,000</u>
11	General Fund--Private/Local Appropriation	\$316,000
12	TOTAL APPROPRIATION	(\$17,938,000)
13		<u>\$17,966,000</u>

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

16 (1) \$84,000 of the general fund--private/local appropriation for
17 fiscal year 2009 is provided solely for the operation of the shared
18 reading video outreach program. The school for the deaf shall provide
19 this service to the extent it is funded by contracts with school
20 districts and educational service districts.

21 (2) \$9,000 of the general fund--state appropriation for fiscal year
22 2009 is provided solely for increasing salaries for certificated
23 instructional staff by an average of one-half of one percent effective
24 July 1, 2008.

25 **Sec. 1508.** 2009 c 4 s 616 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE ARTS COMMISSION**

28	General Fund--State Appropriation (FY 2008)	\$2,548,000
29	General Fund--State Appropriation (FY 2009)	(\$2,454,000)
30		<u>\$2,434,000</u>
31	General Fund--Federal Appropriation	(\$1,382,000)
32		<u>\$1,518,000</u>
33	General Fund--Private/Local Appropriation	\$154,000

1 TOTAL APPROPRIATION (~~(\$6,538,000)~~)
2 \$6,654,000

(End of part)

PART XVI

SPECIAL APPROPRIATIONS

Sec. 1601. 2008 c 329 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2008), General Fund--State Appropriation (FY 2009), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2008 shall be expended into the debt-limit general fund bond retirement account by June 30, 2008.

Sec. 1602. 2008 c 329 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
2 **BE REIMBURSED BY ENTERPRISE ACTIVITIES**

3 State Convention and Trade Center Account--State
4 Appropriation \$22,535,000
5 Accident Account--State Appropriation ((~~\$5,135,000~~))
6 \$5,136,000
7 Medical Aid Account--State Appropriation ((~~\$5,135,000~~))
8 \$5,136,000
9 TOTAL APPROPRIATION ((~~\$32,805,000~~))
10 \$32,807,000

11 **Sec. 1603.** 2008 c 329 s 703 (uncodified) is amended to read as
12 follows:

13 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
15 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

16 General Fund--State Appropriation (FY 2008) \$26,848,000
17 General Fund--State Appropriation (FY 2009) ((~~\$27,728,000~~))
18 \$27,729,000
19 School Construction and Skills Centers Building
20 Account--State Appropriation \$50,000
21 Nondebt-Limit Reimbursable Bond Retirement
22 Account--State Appropriation ((~~\$135,967,000~~))
23 \$136,147,000
24 TOTAL APPROPRIATION ((~~\$190,543,000~~))
25 \$190,774,000

26 The appropriations in this section are subject to the following
27 conditions and limitations: The general fund appropriation is for
28 expenditure into the nondebt-limit general fund bond retirement
29 account. The entire general fund--state appropriation for fiscal year
30 2008 shall be expended into the nondebt-limit general fund bond
31 retirement account by June 30, 2008.

32 **Sec. 1604.** 2008 c 329 s 704 (uncodified) is amended to read as
33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1	BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES	
2	General Fund--State Appropriation (FY 2008)	\$750,000
3	General Fund--State Appropriation (FY 2009)	\$750,000
4	State Building Construction Account--State	
5	Appropriation	\$1,546,000
6	Columbia River Basin Water Supply Development	
7	Account--State Appropriation	\$17,000
8	Hood Canal Aquatic Rehabilitation Bond	
9	Account--State Appropriation	\$3,000
10	State Taxable Building Construction	
11	Account--State Appropriation	\$122,000
12	Gardner-Evans Higher Education Construction	
13	Account--State Appropriation	\$452,000
14	<u>School Construction and Skills Centers Building</u>	
15	<u>Account--State Appropriation</u>	<u>\$9,000</u>
16	TOTAL APPROPRIATION	<u>((\$3,640,000))</u>
17		<u>\$3,649,000</u>

18 **Sec. 1605.** 2008 c 329 s 705 (uncodified) is amended to read as
19 follows:

20	FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY POOL	
21	Disaster Response Account--State Appropriation	((\$8,500,000))
22		<u>\$9,500,000</u>

23 The appropriation in this section is subject to the following
24 conditions and limitations: The entire appropriation is for the
25 purpose of making allocations to the Washington state patrol for any
26 Washington state fire service resource mobilization costs incurred in
27 response to an emergency or disaster authorized under RCW 43.43.960 and
28 43.43.964.

29 **Sec. 1606.** 2008 c 329 s 706 (uncodified) is amended to read as
30 follows:

31	FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY	
32	General Fund--State Appropriation (FY 2008)	\$6,500,000
33	General Fund--State Appropriation (FY 2009)	((\$2,000,000))
34		<u>\$3,000,000</u>
35	TOTAL APPROPRIATION	<u>((\$8,500,000))</u>
36		<u>\$9,500,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: The appropriations are provided solely for
3 expenditure into the disaster response account for the purposes
4 specified in section 705 of this act.

5 **Sec. 1607.** 2008 c 329 s 707 (uncodified) is amended to read as
6 follows:

7 **FOR SUNDRY CLAIMS.** The following sums, or so much thereof as may
8 be necessary, are appropriated from the general fund, unless otherwise
9 indicated, for relief of various individuals, firms, and corporations
10 for sundry claims. These appropriations are to be disbursed on
11 vouchers approved by the director of financial management, except as
12 otherwise provided, as follows:

13 (1) Reimbursement of criminal defendants acquitted on the basis of
14 self-defense, pursuant to RCW 9A.16.110:

- 15 (a) George E. Linkenhoker, claim number SCJ 2008-01 \$24,628
- 16 (b) Charles A. Gardner, claim number SCJ 2008-02 \$ 2,715
- 17 (c) Judd Hurst, claim number SCJ 2008-03 \$ 2,000
- 18 (d) Thomas J. Nelson, claim number SCJ 2008-04 \$ 5,000
- 19 (e) William R. Sauters, Jr., claim number
20 SCJ 2008-05 \$11,408
- 21 (f) Michael E. Greene, claim number SCJ 2008-06 \$ 1,500
- 22 (g) Jeffery A. Cobb, claim number SCJ 2008-08 \$ 7,600
- 23 (h) Robert R. Park, claim number SCJ 2008-09 \$26,385
- 24 (i) Donald Willett, claim number SCJ 2008-11 \$6,600
- 25 (j) Antonio Perez, claim number SCJ 2009-01 \$7,179
- 26 (k) James D. Romans, claim number SCJ 2009-02 \$4,481
- 27 (l) Michael V. Shong, claim number SCJ 2009-03 \$15,118
- 28 (m) Gerald A. Tinkess, claim number SCJ 2009-04 \$68,865
- 29 (n) Linh D. Hguyen, claim number SCJ 2009-05 \$4,000
- 30 (o) Rafael R. Robinson, claim number SCJ 2009-06 \$7,200
- 31 (p) Anthony J. Magnesi, claim number SCJ 2009-07 \$74,888
- 32 (q) Jerry Startzell, claim number 99970000 \$12,975

33 (2) Payment from the state wildlife account for damage to crops by
34 wildlife pursuant to RCW 77.36.050:

- 35 (a) David Guenther, claim number 99970001 \$3,660
- 36 (b) Wilbur Eaton, claim number 99970002 \$3,069
- 37 (c) Eaton Brothers, claim number 99970003 \$2,809

1 (d) Travis Eaton, claim number 99970004 \$1,532

2 **Sec. 1608.** 2007 c 522 s 712 (uncodified) is amended to read as
3 follows:

4 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO**
5 **RETIREMENT SYSTEMS.** The appropriations in this section are subject to
6 the following conditions and limitations: The appropriations for the
7 law enforcement officers' and firefighters' retirement system shall be
8 made on a monthly basis beginning July 1, 2007, consistent with chapter
9 41.45 RCW, and the appropriations for the judges and judicial
10 retirement systems shall be made on a quarterly basis consistent with
11 chapters 2.10 and 2.12 RCW.

12 (1) There is appropriated for state contributions to the law
13 enforcement officers' and fire fighters' retirement system:

14	General Fund--State Appropriation (FY 2008)	\$46,200,000
15	General Fund--State Appropriation (FY 2009)	(\$50,400,000)
16		<u>\$51,122,000</u>
17	TOTAL APPROPRIATION	(\$96,600,000)
18		<u>\$97,322,000</u>

19 (2) There is appropriated for contributions to the judicial
20 retirement system:

21	General Fund--State Appropriation (FY 2008)	\$9,600,000
22	General Fund--State Appropriation (FY 2009)	\$10,200,000
23	TOTAL APPROPRIATION	\$19,800,000

24 **Sec. 1609.** 2008 c 329 s 714 (uncodified) is amended to read as
25 follows:

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--HEALTH CARE AUTHORITY**
27 **ADMINISTRATIVE ACCOUNT**

28	General Fund--State Appropriation (FY 2008)	\$2,618,000
29	General Fund--State Appropriation (FY 2009)	\$1,993,000
30	Public Safety and Education Account--State	
31	Appropriation (FY 2008)	\$13,000
32	Public Safety and Education Account--State	
33	Appropriation (FY 2009)	\$13,000
34	Water Quality Account--State Appropriation (FY 2008)	\$4,000
35	Water Quality Account--State Appropriation (FY 2009)	\$4,000
36	Violence Reduction and Drug Enforcement Account--State	

1	Appropriation (FY 2008)	\$1,000
2	Violence Reduction and Drug Enforcement Account--State	
3	Appropriation (FY 2009)	\$1,000
4	Health Services Account--State Appropriation (FY 2008)	\$7,000
5	Health Services Account--State Appropriation (FY 2009)	\$7,000
6	((Dedicated Funds and Accounts Appropriation	\$640,000))
7	TOTAL APPROPRIATION	((\$5,301,000))
8		<u>\$4,661,000</u>

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

11 (1) The appropriations are provided solely for expenditure into the
12 health care authority administrative account.

13 (2) To facilitate the transfer of moneys from dedicated funds and
14 accounts, the office of financial management shall transfer or direct
15 the transfer of sufficient moneys from each dedicated fund or account,
16 including local funds of state agencies and institutions of higher
17 education, to the health care authority administrative account in
18 accordance with LEAP document number C04-2008, dated March 10, 2008.
19 Agencies and institutions of higher education with local funds will
20 deposit sufficient money to the health care authority administrative
21 account.

22 NEW SECTION. **Sec. 1610.** A new section is added to 2007 c 522
23 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**
25 **ACCOUNT**

26	General Fund--State Appropriation (FY 2009)	\$5,512,000
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27 The appropriation in this section is subject to the following
28 conditions and limitations: The appropriation is provided solely for
29 expenditure into the capitol building construction account.

30 NEW SECTION. **Sec. 1611.** A new section is added to 2007 c 522
31 (uncodified) to read as follows:

32 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--HELP AMERICA VOTE ACT**

33	General Fund--State Appropriation (FY 2009)	\$228,000
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34 The appropriation in this section is subject to the following

1 conditions and limitations: The appropriation is provided solely for
2 expenditure into the election account.

3 NEW SECTION. **Sec. 1612.** A new section is added to 2007 c 522
4 (uncodified) to read as follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CLARKE-MCNARY ACCOUNT**
6 General Fund--State Appropriation (FY 2009) \$1,353,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: The appropriation is provided solely for
9 expenditure into the Clarke-McNary account.

10 NEW SECTION. **Sec. 1613.** A new section is added to 2007 c 522
11 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**
13 **COSTS**
14 General Fund--State Appropriation (FY 2009) \$81,000

15 The appropriation in this section is subject to the following
16 conditions and limitations: The director of financial management shall
17 distribute \$71,000 to Franklin county and \$7,000 to Spokane county for
18 extraordinary criminal justice costs.

(End of part)

PART XVII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1701. 2009 c 4 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 ((~~\$7,654,000~~)) \$7,499,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$47,557,000~~)) \$46,459,000

General Fund Appropriation for prosecuting attorney distributions. Of this amount, \$903,000 is provided solely for the implementation of Substitute Senate Bill No. 6297 (prosecuting attorney salaries). If the bill is not enacted by June 30, 2008, the amount provided shall lapse. ((~~\$4,902,000~~)) \$4,829,000

General Fund Appropriation for boating safety and education distributions ((~~\$4,400,000~~)) \$4,491,000

General Fund Appropriation for other tax distributions \$48,000

General Fund Appropriation for habitat conservation program distributions ((~~\$1,245,000~~)) \$2,296,000

Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. This amount is provided solely for implementation of Engrossed Substitute Senate Bill No. 6874 (Columbia River water delivery). If the bill is not enacted by June 30, 2008, this amount shall lapse. \$3,775,000

1 Columbia River Water Delivery Account
2 Appropriation for the Spokane Tribe
3 of Indians. This amount is provided
4 solely for implementation of Engrossed
5 Substitute Senate Bill No. 6874 (Columbia
6 River water delivery). If the bill is
7 not enacted by June 30, 2008, this amount
8 shall lapse. \$2,250,000
9 Death Investigations Account Appropriation for
10 distribution to counties for publicly
11 funded autopsies ((~~\$2,192,000~~))
12 \$2,352,000
13 Aquatic Lands Enhancement Account Appropriation
14 for harbor improvement revenue distribution \$148,000
15 Timber Tax Distribution Account Appropriation
16 for distribution to "timber" counties ((~~\$77,753,000~~))
17 \$65,089,000
18 County Criminal Justice Assistance Appropriation ((~~\$62,127,000~~))
19 \$62,778,000
20 Municipal Criminal Justice Assistance
21 Appropriation ((~~\$24,636,000~~))
22 \$24,375,000
23 Liquor Excise Tax Account Appropriation for
24 liquor excise tax distribution ((~~\$49,397,000~~))
25 \$55,244,000
26 Liquor Revolving Account Appropriation for liquor
27 profits distribution ((~~\$82,148,000~~))
28 \$69,817,000
29 City-County Assistance Account Appropriation for local
30 government financial assistance distribution;
31 PROVIDED: That the legislature, in making this
32 appropriation for distribution under the formula
33 prescribed in RCW 43.08.290 for the 2007-09
34 biennium, ratifies and approves the prior
35 distributions, as certified by the department
36 of revenue to the state treasurer, made for the
37 2005-07 biennium from the appropriation in
38 section 801, chapter 372, Laws of 2006 as amended

1 by section 1701, chapter 522, Laws of 2007 (~~(\$29,865,000)~~)
2 \$20,985,000
3 Streamline Sales and Use Tax Account Appropriation
4 for distribution to local taxing jurisdictions
5 to mitigate the unintended revenue redistribution
6 effect of the sourcing law changes \$22,980,000
7 TOTAL APPROPRIATION (~~(\$423,077,000)~~)
8 \$395,415,000

9 The total expenditures from the state treasury under the
10 appropriations in this section shall not exceed the funds available
11 under statutory distributions for the stated purposes.

12 **Sec. 1702.** 2009 c 4 s 802 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--TRANSFERS.**

15 State Treasurer's Service Account: For
16 transfer to the state general fund,
17 \$10,000,000 for fiscal year 2008 and
18 \$31,000,000 for fiscal year
19 2009 \$41,000,000
20 Education Legacy Trust Account: For transfer to
21 the state general fund for fiscal year 2009 \$67,000,000
22 Pension Funding Stabilization Account: For
23 transfer to the state general fund for
24 fiscal year 2009 \$10,000,000
25 Economic Development Strategic Reserve Account:
26 For transfer to the state general fund for
27 fiscal year 2009 \$4,000,000
28 State Convention and Trade Center Operations Account:
29 For transfer to the state general fund on June 30,
30 2009 \$5,000,000
31 State Convention and Trade Center Capital Account:
32 For transfer to the state general fund on
33 June 30, 2009 \$52,000,000
34 After the transfers in this section are made from
35 the state convention and trade center operations
36 and capital accounts, these accounts will
37 have sufficient funds for: (1) A ten million

1 dollar requirement for the retrofit of the museum
2 of history and industry; (2) the requirements of
3 RCW 67.40.040(5) and 67.40.040(6); and (3) a
4 sufficient capital reserve. After the transfer
5 is made, the capital reserve may be applicable for
6 payment of debt service or operating shortfalls.

7 Department of Retirement Systems Expense Account:
8 For transfer to the state general fund for
9 fiscal year 2009 \$11,200,000

10 General Fund: For transfer to the water
11 quality account, \$12,200,000 for fiscal
12 year 2008 and \$12,201,000 for fiscal
13 year 2009 \$24,401,000

14 Education Legacy Trust Account: For transfer
15 to the student achievement account for
16 fiscal year 2009 \$90,800,000

17 Drinking Water Assistance Account: For transfer
18 to the drinking water assistance repayment
19 account, an amount not to exceed \$25,000,000

20 Public Works Assistance Account: For transfer
21 to the drinking water assistance account,
22 \$7,200,000 for fiscal year 2008 and
23 \$3,600,000 for fiscal year 2009 \$10,800,000

24 Public Works Assistance Account: For transfer
25 to the job development account, \$25,000,000
26 for fiscal year 2008 and \$25,000,000 for
27 fiscal year 2009 \$50,000,000

28 State Toxics Control Account: For transfer to
29 the oil spill prevention account for
30 fiscal year 2009 \$2,400,000

31 Local Toxics Control Account: For transfer to
32 the oil spill prevention account for
33 fiscal year 2009 \$500,000

34 Tobacco Settlement Account: For transfer
35 to the health services account, in an
36 amount not to exceed the actual amount
37 of the annual base payment to the tobacco
38 settlement account ((~~\$168,111,000~~))

1 \$181,304,000
2 Tobacco Settlement Account: For transfer to the
3 life sciences discovery fund, in an amount
4 not to exceed the actual amount of the
5 strategic contribution supplemental payment
6 to the tobacco settlement account ((~~\$70,000,000~~))
7 \$65,220,000
8 Health Services Account: For transfer to the water
9 quality account, \$3,942,500 for fiscal year 2008
10 and \$3,942,500 for fiscal year 2009 \$7,885,000
11 Health Services Account: For transfer to the violence
12 reduction and drug enforcement account, \$3,466,000
13 for fiscal year 2008 and \$3,466,000 for fiscal year
14 2009 \$6,932,000
15 Health Services Account: For transfer to the tobacco
16 prevention and control account,
17 \$10,523,000 for fiscal year 2008 and
18 ((~~\$10,168,000~~)) \$9,601,000 for fiscal
19 year 2009 ((~~\$20,691,000~~))
20 \$20,124,000
21 General Fund: For transfer to the streamline
22 sales and use tax account for fiscal year 2009 \$31,600,000
23 ((~~General Fund: For transfer to the health services~~
24 ~~account for fiscal year 2009 \$53,000,000~~))
25 Nisqually Earthquake Account: For transfer to the
26 disaster response account for fiscal year 2008 \$3,000,000
27 Public Safety and Education Account: For transfer to
28 the state general fund for fiscal year 2009 \$6,000,000
29 Reading Achievement Account: For transfer to the
30 state general fund, an amount not to exceed the
31 actual balance of the reading achievement account.
32 This transfer is intended to liquidate the reading
33 achievement account \$1,691,000
34 Family Leave Insurance Account: For transfer to
35 the state general fund, an amount not to exceed
36 the actual balance of the family leave insurance
37 account on the effective date of this section. \$4,458,000
38 Streamline Sales Tax Account: For transfer to the

1 state general fund on June 30, 2009, an amount not
 2 to exceed the actual balance of the streamline sales
 3 tax account. \$8,620,000
 4 Savings Incentive Account: For transfer to the state
 5 general fund for fiscal year 2009 \$9,204,000
 6 Education Savings Account: For transfer to the state
 7 general fund for fiscal year 2009 \$51,088,000
 8 Performance Audit Account: For transfer to the state
 9 general fund for fiscal year 2009 \$11,700,000
 10 Pension Funding Stabilization Account: For transfer
 11 to the state general fund for fiscal year 2009 \$2,400,000
 12 Budget Stabilization Account: For transfer to
 13 the state general fund for fiscal year 2009 \$400,000,000

14 **Sec. 1703.** 2007 c 522 s 804 (uncodified) is amended to read as
 15 follows:

16 **FOR THE STATE TREASURER--FEDERAL REVENUES FOR DISTRIBUTION**
 17 General Fund Appropriation for federal
 18 grazing fees distribution ((~~\$2,950,000~~))
 19 \$3,145,000
 20 General Fund Appropriation for federal flood
 21 control funds distribution ((~~\$74,000~~))
 22 \$69,000
 23 Forest Reserve Fund Appropriation for federal
 24 forest reserve fund distribution ((~~\$84,500,000~~))
 25 \$85,201,000
 26 TOTAL APPROPRIATION ((~~\$87,524,000~~))
 27 \$88,415,000

28 The total expenditures from the state treasury under the
 29 appropriations in this section shall not exceed the funds available
 30 under statutory distributions for the stated purposes.

31 **Sec. 1704.** 2007 c 522 s 802 (uncodified) is amended to read as
 32 follows:

33 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**
 34 **ACCOUNT**
 35 Impaired Driving Safety Account Appropriation ((~~\$2,174,000~~))
 36 \$3,050,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The amount appropriated in this section
3 shall be distributed quarterly during the 2007-09 biennium in
4 accordance with RCW 82.14.310. This funding is provided to counties
5 for the costs of implementing criminal justice legislation including,
6 but not limited to: Chapter 206, Laws of 1998 (drunk driving
7 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
8 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998
9 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
10 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
11 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
12 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
13 215, Laws of 1998 (DUI provisions).

14 **Sec. 1705.** 2007 c 522 s 803 (uncodified) is amended to read as
15 follows:

16 **FOR THE STATE TREASURER--FOR THE MUNICIPAL CRIMINAL JUSTICE ASSISTANCE**
17 **ACCOUNT**

18 Impaired Driving Safety Account Appropriation (~~(\$1,449,000)~~)
19 \$2,033,000

20 The appropriation in this section is subject to the following
21 conditions and limitations: The amount appropriated in this section
22 shall be distributed quarterly during the 2007-09 biennium to all
23 cities ratably based on population as last determined by the office of
24 financial management. The distributions to any city that substantially
25 decriminalizes or repeals its criminal code after July 1, 1990, and
26 that does not reimburse the county for costs associated with criminal
27 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
28 which the city is located. This funding is provided to cities for the
29 costs of implementing criminal justice legislation including, but not
30 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
31 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
32 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
33 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
34 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
35 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels

1 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
2 Laws of 1998 (DUI provisions).

(End of part)

1 expenditures from the account. The account is subject to allotment
2 procedures under chapter 43.88 RCW, but an appropriation is not
3 required for expenditures. During the 2007-2009 fiscal biennium, the
4 legislature may transfer from the performance audits of government
5 account to the state general fund such amounts as to reflect the excess
6 fund balance of the account.

7 NEW SECTION. **Sec. 1803.** If any provision of this act or its
8 application to any person or circumstance is held invalid, the
9 remainder of the act or the application of the provision to other
10 persons or circumstances is not affected.

11 NEW SECTION. **Sec. 1804.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

(End of bill)

INDEX	PAGE #
ADMINISTRATIVE EFFICIENCY SAVINGS	181
ADMINISTRATOR FOR THE COURTS	7, 231
ATTORNEY GENERAL	13, 239
BELATED CLAIMS	161
BOARD FOR VOLUNTEER FIREFIGHTERS	27
BOARD OF ACCOUNTANCY	26, 250
BOARD OF INDUSTRIAL INSURANCE APPEALS	66, 311
BOARD OF TAX APPEALS	23
BOND EXPENSES	178
CASELOAD FORECAST COUNCIL	14
CENTRAL SERVICES	177
CENTRAL WASHINGTON UNIVERSITY	437
CENTRAL WASHINGTON UNIVERSITY	145
CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS	13
COLUMBIA RIVER GORGE COMMISSION	80
COMMISSION ON AFRICAN-AMERICAN AFFAIRS	21
COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS	12
COMMISSION ON HISPANIC AFFAIRS	21
COMMISSION ON JUDICIAL CONDUCT	7
COMPENSATION--INSURANCE BENEFITS	179
CONSERVATION COMMISSION	87
COURT OF APPEALS	6, 230
CRIMINAL JUSTICE TRAINING COMMISSION	67, 311
DEPARTMENT OF AGRICULTURE	91
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION	30
DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT	14
COUNTY PUBLIC HEALTH ASSISTANCE	159
DEPARTMENT OF CORRECTIONS	74, 331, 332
DEPARTMENT OF EARLY LEARNING	152, 445
DEPARTMENT OF ECOLOGY	80
DEPARTMENT OF ECOLOGY	343
DEPARTMENT OF FISH AND WILDLIFE	87
DEPARTMENT OF FISH AND WILDLIFE	355
DEPARTMENT OF GENERAL ADMINISTRATION	23, 248
O'BRIEN BUILDING IMPROVEMENT	164
DEPARTMENT OF HEALTH	72, 320

DEPARTMENT OF INFORMATION SERVICES	23
DEPARTMENT OF LABOR AND INDUSTRIES	68, 314
DEPARTMENT OF LICENSING	94
DEPARTMENT OF NATURAL RESOURCES	90
DEPARTMENT OF NATURAL RESOURCES	364
DEPARTMENT OF PERSONNEL	20
DEPARTMENT OF RETIREMENT SYSTEMS	
CONTRIBUTIONS TO RETIREMENT SYSTEMS	161
CONTRIBUTIONS TO RETIREMENT SYSTEMS	456
OPERATIONS	21
DEPARTMENT OF REVENUE	22, 246
DEPARTMENT OF SERVICES FOR THE BLIND	78, 339
DEPARTMENT OF SOCIAL AND HEALTH SERVICES	31, 255
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM	63
AGING AND ADULT SERVICES PROGRAM	50, 282
ALCOHOL AND SUBSTANCE ABUSE PROGRAM	57, 292
CHILDREN AND FAMILY SERVICES PROGRAM	32, 257
DEVELOPMENTAL DISABILITIES PROGRAM	43, 274
ECONOMIC SERVICES PROGRAM	55, 287
JUVENILE REHABILITATION PROGRAM	35, 263
MEDICAL ASSISTANCE PROGRAM	58, 294
MENTAL HEALTH PROGRAM	39, 267
PAYMENTS TO OTHER AGENCIES PROGRAM	64, 307
SPECIAL COMMITMENT PROGRAM	63, 306
VOCATIONAL REHABILITATION PROGRAM	63, 306
DEPARTMENT OF VETERANS AFFAIRS	71, 319
EASTERN WASHINGTON STATE HISTORICAL SOCIETY	156
EASTERN WASHINGTON UNIVERSITY	144
ECONOMIC AND REVENUE FORECAST COUNCIL	19
EMERGENCY FUND ALLOCATIONS	177
EMPLOYMENT SECURITY DEPARTMENT	79, 339
ENVIRONMENTAL HEARINGS OFFICE	87
EXPENDITURE AUTHORIZATIONS	173
FORENSIC INVESTIGATION COUNCIL	26
GOVERNOR ' S OFFICE OF INDIAN AFFAIRS	11
GROWTH MANAGEMENT HEARINGS BOARD	253
HIGHER EDUCATION COORDINATING BOARD	
FINANCIAL AID AND GRANT PROGRAMS	442
FINANCIAL AID AND GRANT PROGRAMS	149

POLICY COORDINATION AND ADMINISTRATION	147
HOME CARE QUALITY AUTHORITY	71
HORSE RACING COMMISSION	26
HOUSE OF REPRESENTATIVES	2, 230
HUMAN RIGHTS COMMISSION	66, 310
INCENTIVE SAVINGS	
FY 2010	162
FY 2011	162
INDETERMINATE SENTENCE REVIEW BOARD	70
INFORMATION SYSTEMS PROJECTS	173
INSURANCE COMMISSIONER	24
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE	3
JOINT LEGISLATIVE SYSTEMS COMMITTEE	6
K-12 CARRYFORWARD AND PRIOR SCHOOL YEAR ADJUSTMENTS	134
LAW LIBRARY	6
LEGISLATIVE AGENCIES	6
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE	5
LIEUTENANT GOVERNOR	10
LIQUOR CONTROL BOARD	26, 250
MILITARY DEPARTMENT	27, 251
MUNICIPAL RESEARCH COUNCIL	23
NATURAL RESOURCES ORGANIZATIONS	177
OFFICE OF ADMINISTRATIVE HEARINGS	20, 246
OFFICE OF CIVIL AND LEGAL AID	9
OFFICE OF FINANCIAL MANAGEMENT	19, 241
CAPITOL BUILDING CONSTRUCTION ACCOUNT	164, 457
CLARKE-MCNARY ACCOUNT	458
COMMUNITY PRESERVATION AND DEVELOPMENT AUTHORITY ACCOUNT	165
COUNTY SUBSTANCE ABUSE PROGRAMS	163
DISASTER RESPONSE ACCOUNT	159
EDUCATION TECHNOLOGY REVOLVING ACCOUNT	161
EMERGENCY FUND	159
EXTRAORDINARY CRIMINAL JUSTICE COSTS	458
FIRE CONTINGENCY	158
FIRE CONTINGENCY	454
FIRE CONTINGENCY POOL	454
HEALTH CARE AUTHORITY ADMINISTRATIVE ACCOUNT	456
HELP AMERICA VOTE ACT	457
REVISE PENSION CONTRIBUTION RATES	163

SMALL AGENCY TECHNOLOGY POOL	164
VETERANS INNOVATIONS PROGRAM ACCOUNT	164
WATER POLLUTION CONTROL REVOLVING ACCOUNT	162
OFFICE OF MINORITY AND WOMEN' S BUSINESS ENTERPRISES	23
OFFICE OF PUBLIC DEFENSE	8
OFFICE OF THE GOVERNOR	9
OFFICE OF THE STATE ACTUARY	5
PUBLIC BACCALAUREATE INSTITUTIONS	138
PUBLIC DISCLOSURE COMMISSION	10
PUBLIC EMPLOYMENT RELATIONS COMMISSION	29
PUGET SOUND PARTNERSHIP	92
PUGET SOUND PARTNERSHIP	371
RECREATION AND CONSERVATION FUNDING BOARD	86
REDISTRICTING COMMISSION	6
SECRETARY OF STATE	10, 237
SENATE	2
SENTENCING GUIDELINES COMMISSION	78
SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE	152
STATE AUDITOR	12
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES	139, 140
STATE CONVENTION AND TRADE CENTER	30, 253
STATE HEALTH CARE AUTHORITY	65, 307
STATE INVESTMENT BOARD	23
STATE PARKS AND RECREATION COMMISSION	85
STATE PARKS AND RECREATION COMMISSION	352
STATE PATROL	373
STATE PATROL	94
STATE SCHOOL FOR THE BLIND	154, 449
STATE SCHOOL FOR THE DEAF	155, 450
STATE TREASURER	12
BOND RETIREMENT AND INTEREST	157, 158, 452, 453
COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT	167, 464
FEDERAL REVENUES FOR DISTRIBUTION	168, 464
MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT	167, 465
STATE REVENUES FOR DISTRIBUTION	166
STATE REVENUES FOR DISTRIBUTION	459
TRANSFERS	168, 461
STATUTE LAW COMMITTEE	6
STATUTORY APPROPRIATIONS	178

SUNDRY CLAIMS	455
SUPERINTENDENT OF PUBLIC INSTRUCTION	96, 134, 376
BASIC EDUCATION EMPLOYEE COMPENSATION	109
EDUCATION REFORM PROGRAMS	123, 408
FOR EDUCATIONAL SERVICE DISTRICTS	121
FOR GENERAL APPORTIONMENT	103
FOR INSTITUTIONAL EDUCATION PROGRAMS	122
FOR LOCAL EFFORT ASSISTANCE	121
FOR MISC PURPOSES UNDER SCHOOL IMPROVEMENT AND NO CHILD LEFT BEHIND ACTS	123
FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS	123
FOR PUPIL TRANSPORTATION	114
FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS	112
FOR SCHOOL FOOD SERVICE PROGRAMS	115
FOR SPECIAL EDUCATION PROGRAMS	116
FOR STUDENT ACHIEVEMENT PROGRAM	133
FOR THE LEARNING ASSISTANCE PROGRAM	131
FOR TRANSITIONAL BILINGUAL PROGRAMS	130
GENERAL APPORTIONMENT	388
HEALTH BENEFIT FUNDING AND PENSIONS CONTRIBUTION RATES	134
INSTITUTIONAL EDUCATION PROGRAMS	405
LEARNING ASSISTANCE PROGRAM	425
LOCAL EFFORT ASSISTANCE	405
PROGRAMS FOR HIGHLY CAPABLE STUDENTS	407
PUPIL TRANSPORTATION	398
SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS	396
SPECIAL EDUCATION PROGRAMS	400
STUDENT ACHIEVEMENT PROGRAM	428
TRANSITIONAL BILINGUAL PROGRAMS	407
SUPREME COURT	6
THE EVERGREEN STATE COLLEGE	145
UNIVERSITY OF WASHINGTON	430
UNIVERSITY OF WASHINGTON	142
UTILITIES AND TRANSPORTATION COMMISSION	27
VIDEO TELECOMMUNICATIONS	175
VOLUNTARY RETIREMENT, SEPARATION, AND DOWNSHIFTING INCENTIVES	178
WASHINGTON POLLUTION LIABILITY REINSURANCE PROGRAM	92
WASHINGTON STATE ARTS COMMISSION	155, 450
WASHINGTON STATE HISTORICAL SOCIETY	155
WASHINGTON STATE LOTTERY	21

WASHINGTON STATE UNIVERSITY 143
WESTERN WASHINGTON UNIVERSITY 147
WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD 152

--- END ---