

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 2836**

Chapter 36, Laws of 2010

(partial veto)

61st Legislature  
2010 1st Special Session

SUPPLEMENTAL CAPITAL BUDGET

EFFECTIVE DATE: 05/04/10

Passed by the House April 12, 2010  
Yeas 61 Nays 36

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 12, 2010  
Yeas 33 Nays 13

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved May 4, 2010, 12:20 p.m., with  
the exception of Sections 5061, 6003 and  
6012 which are vetoed.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of  
the House of Representatives of  
the State of Washington, do hereby  
certify that the attached is  
**ENGROSSED SUBSTITUTE HOUSE BILL  
2836** as passed by the House of  
Representatives and the Senate on  
the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

May 5, 2010

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 2836**

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AS AMENDED BY THE SENATE

Passed Legislature - 2010 1st Special Session

**State of Washington                      61st Legislature                      2010 Regular Session**

**By** House Capital Budget (originally sponsored by Representatives Dunshee and White; by request of Governor Gregoire)

READ FIRST TIME 02/26/10.

1            AN ACT Relating to the capital budget; making appropriations and  
2 authorizing expenditures for capital improvements; amending RCW  
3 43.155.050, 28B.20.725, 28B.30.750, 43.160.080, 90.71.370, 39.10.210,  
4 and 39.94.040; amending 2009 c 497 ss 1005, 1013, 1029, 1019, 1023,  
5 1030, 1031, 1034, 1035, 1039, 1040, 1045, 1046, 1048, 1054, 1055, 1065,  
6 1071, 1075, 1060, 1061, 1063, 1064, 1068, 1073, 1081, 1086, 1087, 2001,  
7 2002, 2027, 2014, 2034, 2037, 2038, 2067, 2072, 2075, 2078, 2068, 2054,  
8 2064, 3059, 3039, 3007, 3049, 3054, 3060, 3020, 3052, 3093, 3094, 3090,  
9 3091, 3085, 3109, 3133, 3138, 3157, 3168, 3169, 3172, 3178, 3182, 3197,  
10 3203, 4008, 5007, 5008, 5009, 5002, 5013, 5014, 5011, 5027, 5029, 5024,  
11 5023, 5026, 5028, 5037, 5030, 5041, 5035, 5039, 5055, 5047, 5054, 5056,  
12 5057, 5064, 5061, 5065, 5068, 5079, 5080, 5083, 5092, 5094, 5093, 5097,  
13 5104, 5100, 5111, 5115, 5116, 5118, 5120, 5174, 5176, 5127, 5180, 5171,  
14 5182, 5210, 5183, 5184, 5217, 5218, 5219, 5220, 5204, 5205, 5206, 5208,  
15 5165, 5177, 5178, 5191, 5151, 5181, 5190, 5192, 5168, 5135, 5195, 5223,  
16 5179, 5213, 5164, 5224, 5143, 5167, 6009, and 6004 (uncodified);  
17 amending 2008 c 5 s 1 (uncodified); adding new sections to 2009 c 497  
18 (uncodified); creating a new section; repealing RCW 39.86.200;  
19 repealing 2009 c 497 ss 1089, 2030, 2079, 3098, 4009, 5043, 5059, 5072,  
20 5084, 5098, and 5112 (uncodified); and declaring an emergency.

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

2 NEW SECTION. **Sec. 1.** A supplemental capital budget is hereby  
3 adopted and, subject to the provisions set forth in this act, the  
4 several dollar amounts hereinafter specified, or so much thereof as  
5 shall be sufficient to accomplish the purposes designated, are hereby  
6 appropriated and authorized to be incurred for capital projects during  
7 the period beginning with the effective date of this act and ending  
8 June 30, 2011, out of the several funds specified in this act.

9 **PART 1**

10 **GENERAL GOVERNMENT**

11 **Sec. 1001.** 2009 c 497 s 1005 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**  
14 **COMMERCE**

15 Local and Community Projects (20064008)

16 The reappropriation in this section is subject to the following  
17 conditions and limitations: (1) \$64,319 of the remaining  
18 reappropriation for El Centro de la raza may be used for building  
19 infrastructure. (2) \$10,000 of the remaining reappropriation for  
20 miracle league handicapped baseball may be used for pre-grading and  
21 resurfacing construction. (3) \$1,394,107 of the remaining  
22 reappropriation for MOBIUS/inland northwest science and technology  
23 center may be used for building design ((and)), construction, and  
24 renovation. (4) \$500,000 of the remaining reappropriation for the  
25 Soundway property preservation project may be used by the city of  
26 Seattle, in cooperation with the nature consortium for habitat,  
27 recreation improvements, or stewardship of the property, if the city of  
28 Seattle enacts pending city legislation to preserve the property and  
29 place it under the jurisdiction of city of Seattle parks and  
30 recreation. (5) The reappropriation is adjusted for the transfer of  
31 the Vancouver national historical reserve west barracks project to the  
32 Washington state historical society and the termination of the  
33 following projects that are no longer viable: (a) Snohomish senior  
34 center and (b) central area motivation program (CAMP).

35 Reappropriation:



1 (iv) The grant provided by the state must not exceed one-third of  
2 the project cost with funds from local and federal sources providing  
3 the balance of the funds.

4 (b) Up to \$481,000 of the ((re))appropriation is provided solely  
5 for improvements to a military department site on Fairchild air force  
6 base.

7 Reappropriation:

8 Public Works Assistance Account--State . . . . . ((\$14,172,000))  
9 \$1,733,000

10 Appropriation:

11 State Building Construction Account--State . . . . . \$12,439,000  
12 Prior Biennia (Expenditures) . . . . . \$35,828,000  
13 Future Biennia (Projected Costs) . . . . . \$0  
14 TOTAL . . . . . \$50,000,000

15 **Sec. 1003.** 2009 c 497 s 1029 (uncodified) is amended to read as  
16 follows:

17 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**  
18 **COMMERCE**

19 Local and Community Projects (20084001)

20 The reappropriation in this section is subject to the following  
21 conditions and limitations:

22 (1) The projects must comply with RCW 43.63A.125 and other  
23 requirements for community projects administered by the department.

24 (2) The reappropriation is subject to the provisions of section  
25 1008, chapter 328, Laws of 2008.

26 (3) \$1,000,000 of the remaining reappropriation for the Evergreen  
27 school district health and biosciences academy may be used for land  
28 acquisition. If the facility is not constructed by June 30, 2015, the  
29 school district shall reimburse the state an amount equal to \$1,000,000  
30 increased by the average percentage appreciation in property values for  
31 undeveloped land in the surrounding area between the date the school  
32 district acquired the property and June 30, 2015 or the date the school  
33 district disposes of the property.

34 (4) \$600,000 of the remaining reappropriation for the institute for  
35 community leadership may be used for land acquisition.

1 (5) \$250,000 of the remaining reappropriation for the Pacific  
2 Northwest ilocandia association may be used for acquisition and  
3 renovation.

4 (6) \$200,000 of the remaining reappropriation for the library  
5 connection at Greenbridge may be used for construction and equipment.

6 (7) \$1,000,000 of the remaining reappropriation for the Evergreen  
7 school district health and biosciences academy may be used for land  
8 acquisition.

9 (8) The remaining reappropriation for the Mobius/inland northwest  
10 science and technology center may be used for building design,  
11 construction, and renovation.

12 (9) The reappropriation is adjusted for the transfer of the  
13 Vancouver national historical reserve project to the Washington state  
14 historical society; the reduction of \$1,400,000 from the Tacoma narrows  
15 bridge lights project; and the termination of the following projects  
16 that are no longer viable: (a) Camp kilworth land acquisition -  
17 Federal Way, (b) Kitsap SEED, and (c) Seatac world war I memorial  
18 plaza.

19 Reappropriation:

20	State Building Construction Account--State . . . . .	(( \$61,200,000 ))
21		<u>\$56,650,000</u>
22	Prior Biennia (Expenditures) . . . . .	\$71,694,000
23	Future Biennia (Projected Costs) . . . . .	\$.00
24	TOTAL . . . . .	(( \$132,894,000 ))
25		<u>\$128,344,000</u>

26 **Sec. 1004.** 2009 c 497 s 1019 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**  
29 **COMMERCE**

30 Public Works Trust Fund (20074005)

31 Reappropriation:

32	Public Works Assistance Account--State . . . . .	(( \$232,000,000 ))
33		<u>\$132,000,000</u>
34	State Taxable Building Construction Account--	
35	State . . . . .	\$95,000,000
36	Subtotal Reappropriation . . . . .	(( \$327,000,000 ))

\$227,000,000

Appropriation:

State Taxable Building Construction Account--

State . . . . . \$100,000,000

Prior Biennia (Expenditures) . . . . . \$0

Future Biennia (Projected Costs) . . . . . \$0

TOTAL . . . . . \$327,000,000

**Sec. 1005.** 2009 c 497 s 1023 (uncodified) is amended to read as follows:

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

Job Development Fund Grants (20074010)

The ((re))appropriation in this section is subject to the following conditions and limitations:

(1) The ((re))appropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007.

((The appropriation in this section is subject to the following conditions and limitations: The)) (2) \$3,000,000 of the appropriation is provided solely for a grant to the port of Grays Harbor for the bulk liquid facility project.

Reappropriation:

Job Development Account--State . . . . . ((\$22,228,000))  
\$4,298,000

Appropriation:

((Job Development Account State . . . . . \$3,000,000))

State Building Construction Account--State . . . . . \$20,930,000

Prior Biennia (Expenditures) . . . . . \$24,702,000

Future Biennia (Projected Costs) . . . . . \$0

TOTAL . . . . . \$49,930,000

**Sec. 1006.** 2009 c 497 s 1030 (uncodified) is amended to read as follows:

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

Community Development Fund (20084850)

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

3 (1) The reappropriation is subject to the provisions of section  
4 1014, chapter 328, Laws of 2008.

5 (2) \$105,521 of the remaining reappropriation for El Centro de la  
6 raza center may be used for building infrastructure.

7 (3) \$1,000,000 of the remaining reappropriation for the Salishan  
8 housing community project may be used for infrastructure and housing.

9 (4) The reappropriation is adjusted for the termination of the  
10 homesight center project which is no longer viable.

11 Reappropriation:

12	State Building Construction Account--State . . . . .	(( \$9,715,000 ))
13		<u>\$9,465,000</u>
14	Prior Biennia (Expenditures) . . . . .	\$11,451,000
15	Future Biennia (Projected Costs) . . . . .	\$0
16	TOTAL . . . . .	(( \$21,166,000 ))
17		<u>\$20,916,000</u>

18 **Sec. 1007.** 2009 c 497 s 1031 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**  
21 **COMMERCE**

22 Belfair Sewer Improvements (20084852)

23 Reappropriation:

24	State Building Construction Account--State . . . . .	\$5,500,000
25	((Public Works Assistance Account--State . . . . .	\$4,800,000
26	Subtotal Reappropriation . . . . .	\$10,300,000))

27 Appropriation:

28	<u>State Building Construction Account--State . . . . .</u>	<u>\$4,800,000</u>
29	Prior Biennia (Expenditures) . . . . .	\$0
30	Future Biennia (Projected Costs) . . . . .	\$0
31	TOTAL . . . . .	\$10,300,000

32 **Sec. 1008.** 2009 c 497 s 1034 (uncodified) is amended to read as  
33 follows:

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



1 **COMMERCE**  
 2 Quillayute Valley Wood-Fire Boiler (20084858)  
 3 Reappropriation:  
 4 Energy Freedom Account--State . . . . . ((~~\$1,000,000~~))  
 5 \$20,000  
 6 Appropriation:  
 7 State Building Construction Account--State . . . . . \$980,000  
 8 Prior Biennia (Expenditures) . . . . . \$0  
 9 Future Biennia (Projected Costs) . . . . . \$0  
 10 TOTAL . . . . . \$1,000,000

11 **Sec. 1009.** 2009 c 497 s 1035 (uncodified) is amended to read as  
 12 follows:

13 **FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~))**

14 **COMMERCE**  
 15 Snohomish County Biodiesel (20084859)

16 Reappropriation:  
 17 Energy Freedom Account--State . . . . . ((~~\$500,000~~))  
 18 \$419,000

19 Appropriation:  
 20 State Building Construction Account--State . . . . . \$81,000  
 21 Prior Biennia (Expenditures) . . . . . \$0  
 22 Future Biennia (Projected Costs) . . . . . \$0  
 23 TOTAL . . . . . \$500,000

24 **Sec. 1010.** 2009 c 497 s 1039 (uncodified) is amended to read as  
 25 follows:

26 **FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~))**

27 **COMMERCE**  
 28 Drinking Water State Revolving Fund Loan Program (30000005)

29 Appropriation:  
 30 Drinking Water Assistance Account--State . . . . . ((~~\$8,000,000~~))  
 31 \$10,930,000  
 32 Drinking Water Assistance Repayment Account--State . . \$31,201,000  
 33 Subtotal Appropriation . . . . . ((~~\$39,201,000~~))  
 34 \$42,131,000

1	Prior Biennia (Expenditures) . . . . .	\$0
2	Future Biennia (Projected Costs) . . . . .	\$215,974,000
3	TOTAL . . . . .	<del>(( \$255,175,000 ))</del>
4		<u>\$258,105,000</u>

5 **Sec. 1011.** 2009 c 497 s 1040 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~))**  
8 **COMMERCE**

9 Building for the Arts Grants (30000006)

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

- 12 (1) Projects must be selected based on their readiness to proceed.  
13 (2) The appropriation is provided solely for the following list of  
14 projects:

15		
16	Admiral Theatre-No Theatre Left	\$140,000
17	Behind	
18	((Artspace Everett Lofts	\$1,000,000))
19	Building a Foundation for Discovery	\$250,000
20	Campus Consolidation (Cornish)	\$375,000
21	Convert Key Bank to Everett's Plaza	\$500,000
22	Theatre	
23	Cottage Renovation (Hedgebrook)	\$20,000
24	Downstairs at the 5th	\$800,000
25	Federal Way Performing Arts Center	\$325,000
26	Gateway Center (Lummi)	\$150,000
27	James Center for the Performing Arts	\$150,000
28	(Sequim)	
29	Langston Hughes Performing Arts	\$475,000
30	Center	
31	Legacy Project (Imagine)	\$200,000
32	Modular Classrooms for Dance	\$30,000
33	(Gladish)	
34	Mt. Baker Theatre	\$1,000,000
35	Museum Expansion (Maryhill)	\$1,500,000

1	New Hands On Children's Museum	\$1,000,000
2	Reconstruction of First Stage	\$400,000
3	(Issaquah)	
4	Seattle Opera Center	\$650,000
5	Stage Two (Whidbey)	\$450,000
6	Vashon Arts Center	\$1,115,000
7	Visual Arts Education Center	\$1,000,000
8	(Snohomish County)	
9	Viva Vera Capital Campaign	\$70,000
10		
11	Total	<del>(\$11,600,000)</del> <u>\$10,600,000</u>

12 Appropriation:

13	State Building Construction Account--State . . . . .	<del>(\$11,600,000)</del>
14		<u>\$10,600,000</u>
15	Prior Biennia (Expenditures) . . . . .	\$0
16	Future Biennia (Projected Costs) . . . . .	\$48,000,000
17	TOTAL . . . . .	<del>(\$59,600,000)</del>
18		<u>\$58,600,000</u>

19 **Sec. 1012.** 2009 c 497 s 1045 (uncodified) is amended to read as  
20 follows:

21 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**  
22 **COMMERCE**

23 Housing Assistance, Weatherization, and Affordable Housing  
24 (30000013)

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

27 (1) \$7,000,000 of the appropriations is provided solely for  
28 facilities housing low-income migrant, seasonal, or temporary  
29 farmworkers. The operation of the facilities built under this section  
30 shall be in compliance with 8 U.S.C. Sec. 1342. The department shall  
31 work with the farmworker housing advisory committee to prioritize  
32 funding of projects to the areas of highest need. Funding may also be  
33 provided, to the extent qualified projects are submitted, for health  
34 and safety projects. Any of this appropriation that is not obligated

1 by June 30, 2011, shall be added to the amount appropriated for the  
2 general pool of projects.

3 (2) \$3,000,000 of the appropriations is provided solely to promote  
4 development of safe and affordable housing units for persons eligible  
5 for services from the division of developmental disabilities within the  
6 department of social and health services.

7 (3) \$10,000 of the appropriations is provided solely to the  
8 (~~Ballard food bank/Ballard homes for all coalition~~) St. Luke's  
9 Lutheran Church/Interfaith Task Force on Homelessness for the  
10 construction of a mobile camp facility.

11 (4) \$2,500,000 of the appropriations is provided solely for the  
12 development of farm infrastructure improvements. Any of this  
13 appropriation that is not obligated by June 30, 2011, must be added to  
14 the amount appropriated for the general pool of projects.

15 (5) \$1,000,000 from the taxable bonds account is provided solely  
16 for the development or preservation of farmworker housing for migrant  
17 and seasonal farmworkers located on private farms.

18 (6) \$5,000,000 of the appropriation from the state building  
19 construction account is provided solely to build low-income housing  
20 units in underserved communities and to concurrently develop capacity  
21 in these same communities. Underserved communities of concern are  
22 those that have high levels of poverty, specifically, thirty percent of  
23 the local median income; experience chronic homelessness; and lack  
24 affordable housing. Underserved communities include veterans,  
25 immigrants, refugees, and those communities of color disproportionately  
26 impacted by chronic homelessness and lack of affordable housing. The  
27 department shall collaborate with representatives of underserved  
28 communities and organizations committed to assistance in these efforts  
29 to prioritize and plan distribution of funding.

30 (7) The department may not make loans from capital bond proceeds  
31 appropriated in this section if the appropriations are also obligated  
32 for other grants or loans or if the anticipated repayments of the loans  
33 are from future state legislative appropriations.

34 (8) The legislature recognizes and supports the housing priorities  
35 reflected in the American recovery and reinvestment act of 2009 with  
36 the estimated amount of \$144,000,000 provided solely for the following  
37 programs:

1 (a) The community development fund's neighborhood stabilization  
2 fund to purchase and rehabilitate foreclosed vacant properties and to  
3 help create affordable housing and stabilize neighborhoods.

4 (b) The public housing capital fund to assist housing authorities  
5 build and rehabilitate low-income housing stock. Housing authorities  
6 are required to give priority consideration to the rehabilitation of  
7 vacant rental units and capital projects that are already underway or  
8 included in the five-year capital fund plans.

9 (c) HOME funding to the Washington state housing finance commission  
10 for a competitive program pursuant to the qualified allocation plan to  
11 owners of projects who have received or receive simultaneously an award  
12 of low-income housing tax credits under section 42(h) of the internal  
13 revenue code of 1986.

14 (d) Weatherization appropriated in section 1052 of this act for  
15 grants and loans to local energy programs for weatherization of  
16 multifamily and single family homes.

17 (9) \$5,000,000 is provided solely for two geographically diverse  
18 projects that serve security lifeline clients who are homeless and have  
19 a mental or behavioral health disorder. This housing must be provided  
20 in coordination with community agencies who can offer supportive  
21 services.

22 (10) Up to \$25,000,000 of the appropriation is for the department  
23 of commerce to contract with the Washington state housing finance  
24 commission to provide equity funding and administration necessary to  
25 implement the Washington works housing program and to facilitate  
26 nonprofit entities' use of tax-exempt multifamily bonds issued by the  
27 Washington state housing finance commission. The projects receiving  
28 these funds shall meet the affordability requirement for the period  
29 after initial bond indebtedness, as established in section 2(2) of  
30 chapter 6, Laws of 2010.

31 Appropriation:

32	State Building Construction Account--State . . . . .	(( \$30,000,000 ))
33		<u>\$34,500,000</u>
34	State Taxable Building Construction	
35	Account--State . . . . .	(( \$60,000,000 ))
36		<u>\$85,500,000</u>
37	Washington Housing Trust Account--State . . . . .	\$10,000,000
38	Subtotal Appropriation . . . . .	(( \$100,000,000 ))

1		<u>\$130,000,000</u>
2	Prior Biennia (Expenditures) . . . . .	.\$0
3	Future Biennia (Projected Costs) . . . . .	.\$400,000,000
4	TOTAL . . . . .	(( <del>\$500,000,000</del> ))
5		<u>\$530,000,000</u>

6 **Sec. 1013.** 2009 c 497 s 1046 (uncodified) is amended to read as  
 7 follows:

8 **FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~))**  
 9 **COMMERCE**

10 Community Schools (91000002)

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

14 (1) The acquisition, rehabilitation, expansion, or improvement of  
 15 surplus school buildings to be converted into community facilities for  
 16 the delivery of nonresidential coordinated services for children and  
 17 families.

18 (a) Eligible applicants include local governments, nonprofit  
 19 organizations, nonprofit early learning providers, and tribal  
 20 governments. Only the following surplus schools may be eligible for  
 21 grant funding under this section: Fauntleroy school, University  
 22 Heights school, and Martin Luther King elementary school.

23 (b) As part of the grant process, applicants must submit a  
 24 comprehensive plan for the use of the surplus school that includes  
 25 information on the following:

26 (i) A list of partner entities that will assist the lead eligible  
 27 applicant to provide or coordinate services for children and families;

28 (ii) A memorandum of understanding between the lead eligible  
 29 applicant and each partner; and

30 (iii) An examination of capital and operating funding sources that  
 31 applicants intend to apply to the project and coordinated services at  
 32 each school to be served, whether such funding is derived from grants  
 33 under this section or from other federal, state, local, or private  
 34 sources.

35 (c) Project applicants must demonstrate that the proposed project  
 36 is ready to proceed, will make timely use of the funds, and requires

1 state funding to accomplish a discrete, usable phase of the project  
2 that may include acquisition.

3 (d) If grant funds under this subsection are used for the  
4 acquisition of surplus school facilities, the sale proceeds must be  
5 used by the local school board disposing of such property for  
6 renovation, replacement, or new construction of school facilities in  
7 the district, but shall not be used as local match for projects  
8 receiving state school construction assistance grants.

9 (e) In contracts for grants authorized under this subsection, the  
10 department shall include provisions that require that capital  
11 improvements must be held by the grantee for a specified period of time  
12 appropriate to the amount of the grant and that facilities must be used  
13 for the express purpose of the grant. If the grantee is found to be  
14 out of compliance with provisions of the contract, the grantee shall  
15 repay to the state general fund the principal amount of the grant plus  
16 interest calculated at the rate of interest on state of Washington  
17 general obligation bonds issued most closely to the date of  
18 authorization of the grant.

19 (2) The construction of a non-mobile facility, accessible to  
20 students in central and eastern Washington for the purpose of financial  
21 literacy education, for the eastern and western Washington junior  
22 achievement world initiative.

23 (3) \$1,500,000 of the appropriation in this section is provided  
24 solely for acquisition of the Martin Luther King elementary school.  
25 This is in addition to the amount provided for the Martin Luther King  
26 elementary school in section 1033, chapter 497, Laws of 2009.

27 Appropriation:

28	State Building Construction Account--State . . . . .	(\$5,000,000)
29		<u>\$6,500,000</u>
30	Prior Biennia (Expenditures) . . . . .	\$0
31	Future Biennia (Projected Costs) . . . . .	\$0
32	TOTAL . . . . .	(\$5,000,000)
33		<u>\$6,500,000</u>

34 **Sec. 1014.** 2009 c 497 s 1048 (uncodified) is amended to read as  
35 follows:

36 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**

1 **COMMERCE**

2 Local and Community Projects (30000019)

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

5 (1) Prior to receiving funds, project recipients must demonstrate  
6 that the project site is under control for a minimum of ten years,  
7 either through ownership or a long-term lease. This requirement does  
8 not apply to appropriations for preconstruction activities or  
9 appropriations whose sole purpose is to purchase real property that  
10 does not include a construction or renovation component.

11 (3) Projects funded in this section may be required to comply with  
12 Washington's high performance building standards as required by chapter  
13 39.35D RCW.

14 (4) Project funds are available on a reimbursement basis only, and  
15 shall not be advanced under any circumstances.

16 (5) Projects funded in this section must be held by the recipient  
17 for a minimum of ten years and used for the same purpose or purposes  
18 intended by the legislature as required in RCW 43.63A.125(2)(c).

19 (6) Projects funded in this section, including those that are owned  
20 and operated by nonprofit organizations, are generally required to pay  
21 state prevailing wages.

22 (7) Except as directed otherwise prior to the effective date of  
23 this section, the department shall not expend the appropriations in  
24 this section unless and until the nonstate share of project costs have  
25 been either expended, or firmly committed, or both, in an amount  
26 sufficient to complete the project or a distinct phase of the project  
27 that is useable to the public for the purpose intended by the  
28 legislature.

29 (8) The appropriation is provided solely for the following list of  
30 projects:

31 **Local Community Projects**

32		
33	7th St. Theater	\$330,000
34	Arc of Tri-Cities	\$900,000
35	Bellevue Clinic--Seattle Children's Hospital	\$2,000,000
36	Blessed Sacrament Food and Emergency Facilities Renovation	\$200,000



1	Children's Village Expansion Project	\$500,000
2	Clark County Food Distribution Facility	\$1,500,000
3	Coal Creek YMCA (Newcastle)	\$800,000
4	Dawson Place Child Advocacy Center	\$1,000,000
5	Federal Way National Little League Field Lighting Project and Monument Entry Sign	\$177,000
6	Harlequin Theater	\$235,000
7	Home Dialysis Center and Professional Workforce Training	\$250,000
8	Kirkland Park Place Redevelopment	\$2,000,000
9	Livingston Baker Fire and Life Safety	\$750,000
10	Marshland Diking District	\$500,000
11	Marysville Boys & Girls Club	\$500,000
12	McClure Middle School Energy Saving Performance Contract Demonstration Project	\$1,000,000
13	Mountains to Sound Greenway	\$100,000
14	Mukilteo Boys & Girls Club	\$150,000
15	Neighborcare Health Clinic and Rainier Beach Medical Clinic	\$1,000,000
16	Parkland at Japanese Gulch	\$1,000,000
17	Petrovitsky Park Upgrade	\$750,000
18	Phoenix House	\$200,000
19	Poulsbo Marine Center	\$500,000
20	Public Broadcasting Frequency Expansion	\$223,000
21	<del>((Ready by Five Early Learning Center</del>	<del>\$1,000,000))</del>
22	Renovations to Mill Creek City Annex Building	\$30,000
23	Snohomish County Emergency Center	\$1,000,000
24	South Tacoma Community Center	\$1,000,000
25	Whatcom Hospice House	\$700,000
26	Zina Linnik	\$950,000

27	Appropriation:	
28	State Building Construction Account--State . . . . .	(( <del>\$21,245,000</del> ))
29		<u>\$20,245,000</u>
30	Prior Biennia (Expenditures) . . . . .	\$0
31	Future Biennia (Projected Costs) . . . . .	\$0
32	TOTAL . . . . .	(( <del>\$21,245,000</del> ))
33		<u>\$20,245,000</u>

34     NEW SECTION. Sec. 1015. A new section is added to 2009 c 497  
35 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF COMMERCE**

2 2010 Local and Community Projects (30000082)

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

5 (1) Prior to receiving funds, project recipients must demonstrate  
6 that the project site is under control for a minimum of ten years,  
7 either through ownership or a long-term lease. This requirement does  
8 not apply to appropriations for preconstruction activities or  
9 appropriations whose sole purpose is to purchase real property that  
10 does not include a construction or renovation component.

11 (2) Projects funded in this section may be required to comply with  
12 Washington's high performance building standards as required by chapter  
13 39.35D RCW.

14 (3) Project funds are available on a reimbursement basis only, and  
15 shall not be advanced under any circumstances.

16 (4) Projects funded in this section must be held by the recipient  
17 for a minimum of ten years and used for the same purpose or purposes  
18 intended by the legislature as required in RCW 43.63A.125(6).

19 (5) Projects funded in this section, including those that are owned  
20 and operated by nonprofit organizations, are generally required to pay  
21 state prevailing wages.

22 (6) Except as directed otherwise prior to the effective date of  
23 this section, the department shall not expend the appropriations in  
24 this section unless and until the nonstate share of project costs have  
25 been either expended, or firmly committed, or both, in an amount  
26 sufficient to complete the project or a distinct phase of the project  
27 that is useable to the public for the purpose intended by the  
28 legislature.

29 (7) The appropriation is provided solely for the following list of  
30 projects:

31 **Local Community Projects**

32 Aviation High School	\$2,000,000
33 Children's Village Expansion	\$250,000
34 East King County Performing Arts Center (PACE)	\$2,000,000
35 Hanford Reach Interpretive Center	\$500,000
36 Junior Achievement (Statewide JA World Initiative)	\$1,500,000

1	Lake Boren Park - Replace Unsafe Playground	\$325,000
2	Museum of Flight Space Gallery	\$3,000,000
3	Pike Market Workforce Childcare Facility	\$1,000,000
4	Rainier Beach Medical & Dental Clinic (Neighborcare Health)	\$500,000
5	Relocation of NAVES Mental Health Center in Brien	\$1,000,000
6	Restoration of Historic Piciform Theater	\$250,000
7	San Juan Island Farmers Market - Purchase Historic Building	\$375,000
8	South King County Multi service Center	\$300,000
9	Spokane Aerospace Technology Center Design	\$400,000
10	Urban League Village at Colman School/NW African American Museum	\$100,000
11	West Hill/Skyway Area Infrastructure	\$250,000

12 Appropriation:

13	State Building Construction Account--State . . . . .	\$13,750,000
14	Prior Biennia (Expenditures) . . . . .	\$0
15	Future Biennia (Projected Costs) . . . . .	\$0
16	TOTAL . . . . .	\$13,750,000

17 NEW SECTION. **Sec. 1016.** A new section is added to 2009 c 497  
18 (uncodified) to read as follows:

19 **FOR THE DEPARTMENT OF COMMERCE**

20 Jobs Act for K-12 Public Schools and Higher Education Institutions  
21 (91000085)

22 The appropriation in this section is subject to the following  
23 conditions and limitations:

24 (1) The appropriation is provided solely for grants to public  
25 school districts and public higher education institutions for  
26 operational cost savings improvements to public school district and  
27 higher education facilities and related projects that result in energy  
28 and operational cost savings. Related projects are those projects that  
29 must be completed in order for the energy efficiency improvements to be  
30 effective. Grants may also be used for loan interest payments over the  
31 term of a loan.

32 (2) The department of commerce, in consultation with the department  
33 of general administration, the office of the superintendent of public  
34 instruction, and the Washington State University energy program shall

1 establish a competitive process to solicit and evaluate applications  
2 from public school districts and public higher education institutions.  
3 Final grant awards shall be determined by the department of commerce.

4 (3) The definitions in this section apply throughout this section.

5 (a) "Cost-effectiveness" means that the present value to public  
6 school districts and public higher education institutions of the energy  
7 reasonably expected to be saved or produced by a facility, activity,  
8 measure, or piece of equipment over its useful life, including any  
9 compensation received from a utility or the Bonneville power  
10 administration, is greater than the net present value of the costs of  
11 implementing, maintaining, and operating such facility, activity,  
12 measure, or piece of equipment over its useful life, when discounted at  
13 the cost of public borrowing.

14 (b) "Energy equipment" means energy management systems and any  
15 equipment, materials, or supplies that are expected, upon installation,  
16 to reduce the energy use or energy cost of an existing building or  
17 facility, and the services associated with the equipment, materials, or  
18 supplies, including but not limited to design, engineering, financing,  
19 installation, project management, guarantees, operations, and  
20 maintenance. Reduction in energy use or energy cost may also include  
21 reductions in the use or cost of water, wastewater, or solid waste.

22 (c) "Energy cost savings" means savings realized in expenses for  
23 energy use and expenses associated with water, wastewater, or solid  
24 waste systems.

25 (d) "Energy savings performance contracting" means the process  
26 authorized by chapter 39.35C RCW by which a company contracts with a  
27 public agency to conduct energy audits and guarantee energy savings  
28 from energy efficiency.

29 (e) "Operational cost savings" means savings realized from parts,  
30 service fees, capital renewal costs, and other measurable annual  
31 expenses to maintain and repair systems. This definition does not mean  
32 labor savings related to existing facility staff.

33 (f) "Public facilities" means buildings, building components, and  
34 major equipment or systems owned by public school districts and public  
35 higher education institutions.

36 (g) "Innovative measures" means advanced or emerging technologies,  
37 systems or approaches that may not yet be in common practice but  
38 improve energy efficiency, accelerate deployment, or reduce energy

1 usage, and become widely commercially available in the future if proven  
2 successful in demonstration programs without compromising the  
3 guaranteed performance or measurable energy and operational cost  
4 savings anticipated. Examples of innovative measures include, but are  
5 not limited to, advanced energy and systems operations monitoring,  
6 diagnostics and controls systems for buildings; novel heating, cooling,  
7 ventilation and water heating systems; advanced windows and insulation  
8 technologies, highly efficient lighting technologies, designs, and  
9 controls; and integration of renewable energy sources into buildings,  
10 and energy savings verification technologies and solutions.

11 (4) Grants must be awarded in competitive rounds, based on demand  
12 and capacity, with at least five percent of each grant round awarded to  
13 small public school districts with fewer than 1,000 full-time  
14 equivalent students, based on demand and capacity.

15 (5) Within each competitive round, projects must be weighted and  
16 prioritized based on the following criteria and in the following order:

17 (a) Leverage ratio: In each round, the higher the leverage ratio  
18 of nonstate funding sources to state jobs act grant, the higher the  
19 project ranking.

20 (b) Energy savings: In each round, the higher the energy savings,  
21 the higher the project ranking. Applicants must submit documentation  
22 that demonstrates energy and operational cost savings resulting from  
23 the installation of the energy equipment and improvements. The energy  
24 savings analysis shall be performed by a licensed engineer, and the  
25 documentation must include but is not limited to the following:

26 (i) A description of the energy equipment and improvements;  
27 (ii) A description of the energy and operational cost savings; and  
28 (iii) A description of the extent to which the project employs  
29 collaborative and innovative measures and encourages demonstration of  
30 new and emerging technologies with high energy-savings or energy cost-  
31 reductions.

32 (c) Expediency of expenditure: Project readiness to spend funds  
33 must be prioritized so that the legislative intent to expend funds  
34 quickly is met.

35 (6) Projects that do not use energy savings performance contracting  
36 must: (a) Verify energy and operational cost savings for ten years or  
37 until the energy and operational costs savings pay for the project,  
38 whichever is shorter; (b) follow the department of general

1 administration's energy savings performance contracting project  
2 guidelines; and (c) employ a licensed engineer for the energy audit and  
3 construction. The department of commerce may require third-party  
4 verification of savings if a project is not implemented by an energy  
5 savings performance contractor selected by the department of general  
6 administration through the request of qualifications process. Third-  
7 party verification must be conducted either by an energy savings  
8 performance contractor selected by the department of general  
9 administration through a request for qualifications, a licensed  
10 engineer that is a certified energy manager, a project resource  
11 conservation manager, or educational service district resource  
12 conservation manager.

13 (7) To intensify competition, the department of commerce may only  
14 award funds to the top eighty-five percent of projects applying in a  
15 round until the department of commerce determines a final round is  
16 appropriate. Projects that do not receive a grant award in one round  
17 may reapply in subsequent rounds.

18 (8) To match federal grants and programs that require state  
19 matching funds and produce significantly higher efficiencies in  
20 operations and utilities, the level of innovation criteria may be  
21 increased for the purposes of weighted scoring to capture those federal  
22 dollars for selected projects that require a higher level of innovation  
23 and regional collaboration.

24 (9) Grant amounts awarded to each project must allow for the  
25 maximum number of projects funded with the greatest energy and cost  
26 benefit.

27 (10)(a) The department of commerce must use bond proceeds to pay  
28 one-half of the preliminary audit, up to five cents per square foot, if  
29 the project does not meet the school district's and higher education  
30 institution's predetermined cost-effectiveness criteria. Public school  
31 districts and public higher education institutions must pay the other  
32 one-half of the cost of the preliminary audit if the project does not  
33 meet their predetermined cost-effectiveness criteria.

34 (b) The energy savings performance contractor shall not charge for  
35 an investment grade audit if the project does not meet the school  
36 district's and higher education institution's predetermined cost-  
37 effectiveness criteria. Public school districts and public higher  
38 education institutions must pay the full price of an investment grade

1 audit if they do not proceed with a project that meets the school  
2 district's and higher education institution's predetermined cost-  
3 effectiveness criteria.

4 (11) The department of commerce may charge projects administrative  
5 fees and may pay the department of general administration, the  
6 Washington State University energy program, and the office of the  
7 superintendent of public instruction administration fees in an amount  
8 determined through a memorandum of understanding.

9 (12) The department of commerce and the department of general  
10 administration must submit a joint report to the appropriate committees  
11 of the legislature and the office of financial management on the timing  
12 and use of the grant funds, program administrative function, compliance  
13 with apprenticeship utilization requirements in RCW 39.04.320,  
14 compliance with prevailing wage requirements, and administration fees  
15 by the end of each fiscal year, until the funds are fully expended and  
16 all savings verification requirements are fulfilled.

17 Appropriation:

18	State Building Construction Account--State . . . . .	\$50,000,000
19	Prior Biennia (Expenditures) . . . . .	.\$0
20	Future Biennia (Projected Costs) . . . . .	.\$0
21	TOTAL . . . . .	\$50,000,000

22 NEW SECTION. **Sec. 1017.** A new section is added to 2009 c 497  
23 (uncodified) to read as follows:

24 **FOR THE DEPARTMENT OF COMMERCE**

25 Energy Regional Innovation Cluster Match (91000080)

26 The appropriation in this section is subject to the following  
27 conditions and limitations: The appropriation is provided solely to  
28 support facilities to be located in Washington state to increase the  
29 competitiveness of state or regional proposals for federal energy  
30 innovation and research funding. State funding must not exceed twenty  
31 percent of the total program or project funds. If a Washington state  
32 research organization is not awarded federal funding for energy  
33 innovation and research by June 30, 2011, the remaining appropriation  
34 in this section may be allotted for export assistance as provided in  
35 section 1018 of this act.

36 Appropriation:

1	Public Facility Construction Loan Revolving	
2	Account--State . . . . .	\$5,500,000
3	Prior Biennia (Expenditures) . . . . .	.\$0
4	Future Biennia (Projected Costs) . . . . .	.\$0
5	TOTAL . . . . .	\$5,500,000

6     NEW SECTION.   **Sec. 1018.** A new section is added to 2009 c 497  
7 (uncodified) to read as follows:

8     **FOR THE DEPARTMENT OF COMMERCE**

9     CERB - Export Assistance Grants and Loans (92000069)

10     The appropriation in this section is subject to the following  
11 conditions and limitations: The appropriation is provided solely for  
12 loans and grants to local governments and public institutions of higher  
13 education for technical assistance and infrastructure to support growth  
14 of export of Washington state products and services.

15    Appropriation:

16	Public Facility Construction Loan Revolving	
17	Account--State . . . . .	\$3,000,000
18	Prior Biennia (Expenditures) . . . . .	.\$0
19	Future Biennia (Projected Costs) . . . . .	.\$0
20	TOTAL . . . . .	\$3,000,000

21     **Sec. 1019.** 2009 c 497 s 1054 (uncodified) is amended to read as  
22 follows:

23     **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

24     Cowlitz River Dredging (20082856)

25    Reappropriation:

26	State Building Construction Account--State . . . . .	.\$313,000
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27    Appropriation:

28	<u>State Building Construction Account--State . . . . .</u>	<u>.\$500,000</u>
29	Prior Biennia (Expenditures) . . . . .	.\$687,000
30	Future Biennia (Projected Costs) . . . . .	.\$0
31	TOTAL . . . . .	(( <del>\$1,000,000</del> ))
32		<u>\$1,500,000</u>



1       **Sec. 1020.** 2009 c 497 s 1055 (uncodified) is amended to read as  
2 follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

4 Catastrophic Flood Relief (20084850)

5       The reappropriation in this section is subject to the following  
6 conditions and limitations:

7       (1) \$1,640,000 of the reappropriation is provided solely for  
8 nonfederal matching funds and state agency costs associated with the  
9 army corps of engineers flood hazard mitigation projects for the  
10 Chehalis river basin.

11       (2) \$1,200,000 of the total reappropriation is provided solely for  
12 the Chehalis basin flood control authority to develop governance  
13 agreements for development, operation, and maintenance of flood hazard  
14 mitigation measures throughout the basin. The development of the  
15 governance agreements shall include preliminary estimates of local  
16 property tax options necessary to support the maintenance and operation  
17 of the twin city levy project and tax options necessary to support  
18 other possible flood control measures throughout the basin. The  
19 agreements must be executed by July 1, 2011.

20       (3)(a) \$2,000,000 of the reappropriation is provided solely for the  
21 following studies of flood mitigation measures: (i) Studies contracted  
22 prior to the effective date of this act; (ii) a study to evaluate the  
23 feasibility of a combination of the United States' army corps of  
24 engineers twin city project, with other retention structures, and  
25 nonstructural flood mitigation measures to be completed by June 30,  
26 2011; (iii) a study to determine how ecosystem services, including  
27 nonstructural alternatives, would likely mitigate downstream flooding  
28 to be completed by December 2010; (iv) continuation of the general  
29 investigation of basin wide flood control measures by the United  
30 States' army corps of engineers; (v) an independent peer review of  
31 completed geotechnical and hydrological studies of possible upper basin  
32 retention structures to be completed by October 2010; (vi) a study of  
33 the effect of possible retention structures and other flood control  
34 measures on fish in the basin to be completed by June 2011, provided  
35 that the fish study shall not examine options for retention structures  
36 that the peer review in this section determines is not feasible.

37       (b) From the effective date of this act and prior to any  
38 expenditure on new studies, the Chehalis basin flood authority must

1 submit any new study proposal to the basinwide general investigation  
 2 project manager of the United States army corps of engineers for  
 3 review. Based upon the United States army corps of engineers review of  
 4 the proposal, the Chehalis basin flood authority must develop a  
 5 proposed scope of work for the study that ensures, to the fullest  
 6 extent possible, that the study will be eligible for federal work-in-  
 7 kind credit.

8 (c) The Chehalis basin flood authority must: (i) In consultation  
 9 with the department of ecology, select qualified experts to conduct the  
 10 peer review of geotechnical and hydrological studies; and (ii) consult  
 11 with the Washington state department of fish and wildlife, the  
 12 confederated tribes of the Chehalis reservation, and the Lewis county  
 13 public utility district to develop and agree upon a scope of work for,  
 14 and select a qualified expert to, conduct the fish study. The peer  
 15 review must be submitted to the office of financial management before  
 16 funds are allotted for the fish study.

17 (4) \$300,000 of the reappropriation is provided solely for an early  
 18 flood warning system.

19 (5) It is the intent of the legislature to fulfill the commitment  
 20 of section 101, chapter 179, Laws of 2008 and chapter 180, Laws of  
 21 2008, by appropriating funds when the federal match requirement is  
 22 needed.

23 Reappropriation:

24	State Building Construction Account--State . . . . .	(( \$47,351,000 ))
25		<u>\$5,140,000</u>
26	Prior Biennia (Expenditures) . . . . .	(( \$2,649,000 ))
27		<u>\$3,450,000</u>
28	Future Biennia (Projected Costs) . . . . .	(( \$0 ))
29		<u>\$41,410,000</u>
30	TOTAL . . . . .	\$50,000,000

31 NEW SECTION. Sec. 1021. A new section is added to 2009 c 497  
 32 (uncodified) to read as follows:

33 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

34 Risk Pool (91000001)

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

1 a risk pool to complete projects within the scope described in budget  
2 documents submitted as part of the governor's capital budget request  
3 and consistent with legislative history. This section only applies to  
4 projects included in this 2010 supplemental capital budget with reduced  
5 appropriations. The office of financial management may allot portions  
6 of this appropriation ten days after notifying the senate ways and  
7 means committee and the house of representatives capital budget  
8 committee. The notification must include an explanation of the need  
9 and the amount for the allotment to complete the scope of an approved  
10 project.

11 Appropriation:

12	State Building Construction Account--State . . . . .	\$4,000,000
13	Prior Biennia (Expenditures) . . . . .	.\$0
14	Future Biennia (Projected Costs) . . . . .	.\$0
15	TOTAL . . . . .	\$4,000,000

16 NEW SECTION. **Sec. 1022.** A new section is added to 2009 c 497  
17 (uncodified) to read as follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

19 Port Angeles Economic Development Agreement (30000024)

20 The appropriation in this section is subject to the following  
21 conditions and limitations: The appropriation is provided solely to  
22 carry out paragraph 2.C. of the economic development agreement  
23 associated with the case of *Lower Elwha Klallam Tribe et al v. State et*  
24 *al*, Thurston county superior court, cause No. 05-2-01595-8. The state  
25 has already provided \$250,000 to carry out that paragraph. After  
26 disbursement of the appropriation in this section, the state will  
27 provide no further funding under the economic development agreement.

28 Appropriation:

29	State Building Construction Account--State . . . . .	.\$250,000
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs) . . . . .	.\$0
32	TOTAL . . . . .	\$250,000

33 NEW SECTION. **Sec. 1023.** A new section is added to 2009 c 497  
34 (uncodified) to read as follows:

35 **FOR THE OFFICE OF FINANCIAL MANAGEMENT.** (1) Due to the downturn of

1 the economy and the direct effects on the state bond debt limit, the  
2 legislature intends to reduce bond debt while focusing resources on  
3 maintaining and creating jobs. Therefore, the legislature directs the  
4 office of financial management to work with state agencies to achieve  
5 savings in the amount of \$50,000,000 by reducing previously approved  
6 allotments or by withholding approval of planned allotments for those  
7 projects that have not shown substantial progress under the criteria  
8 established in subsection (2) of this section or from projects with  
9 savings identified pursuant to section 6012 of this act.

10 (2) A project is subject to allotment reduction or non-approval of  
11 a planned allotment under this section if:

12 (a)(i) It is a state project administered by a state agency; or

13 (ii) It is a grant or a loan project for which a state agency  
14 allocates funding to a non-state entity;

15 (b) Appropriations for the project were made in the 2009-11 or  
16 previous omnibus capital appropriations acts from the state building  
17 construction account, state taxable building construction account, or  
18 any other debt limit bond account, not including projects receiving  
19 2010 supplemental capital budget appropriations, minor works projects,  
20 or the school construction assistance grant program; and

21 (c) The project has failed to secure all required and appropriate  
22 transaction elements necessary to execute contracts with the  
23 administering state agency by November 30, 2010. Required and  
24 appropriate transaction elements may include, but are not limited to,  
25 matching funds, permits, environmental reviews, and required contracts  
26 and partnership agreements.

27 (3) Amounts attributable to allotment reductions or non-approval of  
28 planned allotments made under this section must be placed in or remain  
29 in unallotted status and remain unexpended.

30 (4) By December 31, 2010, the office of financial management must  
31 report to the house of representatives capital budget committee and the  
32 senate ways and means committee on the projects for which allotments  
33 were reduced or for which approval was withheld, including a list of  
34 the specific projects and related funds remaining in unallotted status.

35 (5) Agencies and prospective grant or loan recipients are  
36 encouraged to reapply or request funds in the 2011-13 biennial capital  
37 appropriations act for projects for which allotments were reduced or  
38 not approved under this section.

1 **Sec. 1024.** 2009 c 497 s 1065 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

4 O'Brien Building Improvements (20081007)

5 The appropriation in this section is subject to the following  
6 conditions and limitations: Upon completion of the project, temporary  
7 modular buildings shall be removed, and the parking lot shall be  
8 restored and landscaped within budget.

9 Reappropriation:

10 State Building Construction Account--State . . . . . \$1,500,000

11 Appropriation:

12 State Building Construction Account--State . . . . . (~~(\$9,671,000)~~)  
13 \$8,220,000

14 Prior Biennia (Expenditures) . . . . . \$1,481,000

15 Future Biennia (Projected Costs) . . . . . (~~(\$5,329,000)~~)  
16 \$0

17 TOTAL . . . . . (~~(\$17,981,000)~~)  
18 \$11,201,000

19 **Sec. 1025.** 2009 c 497 s 1071 (uncodified) is amended to read as  
20 follows:

21 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

22 Capital Lake Plan Completion (20082953)

23 The reappropriation in this section is subject to the following  
24 conditions and limitations: The reappropriation is provided for lake  
25 management efforts to control invasive species. The Capital Lake  
26 adaptive management planning process must be suspended.

27 Reappropriation:

28 State Building Construction Account--State . . . . . (~~(\$200,000)~~)  
29 \$100,000

30 Prior Biennia (Expenditures) . . . . . \$300,000

31 Future Biennia (Projected Costs) . . . . . \$0  
32 TOTAL . . . . . (~~(\$500,000)~~)  
33 \$400,000

1           **Sec. 1026.** 2009 c 497 s 1075 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

4           Powerhouse: Improvements and Preservation (30000056)

5 Appropriation:

6	State Building Construction Account--State . . . . .	(( <del>\$1,459,000</del> ))
7		<u>\$1,240,000</u>
8	Prior Biennia (Expenditures) . . . . .	.\$0
9	Future Biennia (Projected Costs) . . . . .	.\$0
10	TOTAL . . . . .	(( <del>\$1,459,000</del> ))
11		<u>\$1,240,000</u>

12           **Sec. 1027.** 2009 c 497 s 1060 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

15           Transportation Building Preservation (20021008)

16 Reappropriation:

17	Thurston County Capital Facilities Account--State .	(( <del>\$2,500,000</del> ))
18		<u>\$395,000</u>

19 Appropriation:

20	<u>State Building Construction Account--State . . . . .</u>	<u>\$2,105,000</u>
21	Prior Biennia (Expenditures) . . . . .	.\$7,116,000
22	Future Biennia (Projected Costs) . . . . .	\$22,706,000
23	TOTAL . . . . .	\$32,322,000

24           **Sec. 1028.** 2009 c 497 s 1061 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

27           Highway-License Building Repair and Renewal (20061013)

28 Reappropriation:

29	Thurston County Capital Facilities Account--State . .	(( <del>\$100,000</del> ))
30		<u>\$76,000</u>

31 Appropriation:

32	<u>State Building Construction Account--State . . . . .</u>	<u>\$24,000</u>
33	Prior Biennia (Expenditures) . . . . .	.\$3,423,000
34	Future Biennia (Projected Costs) . . . . .	.\$0

1 TOTAL . . . . . \$3,523,000

2 **Sec. 1029.** 2009 c 497 s 1063 (uncodified) is amended to read as  
3 follows:

4 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

5 Natural Resources Building Repairs and Renewal (20061014)

6 Reappropriation:

7 State Vehicle Parking Account--State . . . . . \$30,000

8 Thurston County Capital Facilities Account--State . . ((\$100,000))

9 \$22,000

10 Subtotal Reappropriation . . . . . ((\$130,000))

11 \$52,000

12 Appropriation:

13 State Building Construction Account--State . . . . . \$78,000

14 Prior Biennia (Expenditures) . . . . . \$2,853,000

15 Future Biennia (Projected Costs) . . . . . \$4,520,000

16 TOTAL . . . . . \$7,503,000

17 **Sec. 1030.** 2009 c 497 s 1064 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

20 Minor Works - Infrastructure Preservation (20081004)

21 Reappropriation:

22 (~~Thurston County Capital Facilities Account--State . . . \$136,000~~)

23 State Building Construction Account--State . . . . . \$584,000

24 (~~Subtotal Reappropriation . . . . . \$720,000~~)

25 Appropriation:

26 State Building Construction Account--State . . . . . \$136,000

27 Prior Biennia (Expenditures) . . . . . \$4,401,000

28 Future Biennia (Projected Costs) . . . . . \$0

29 TOTAL . . . . . \$5,121,000

30 **Sec. 1031.** 2009 c 497 s 1068 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

33 Minor Works - Facility Preservation (20081015)

1 Reappropriation:  
2 State Building Construction Account--State . . . . . \$380,000  
3 ((~~Thurston County Capital Facilities Account--State . . . . . \$723,000~~)  
4 ~~Subtotal Reappropriation . . . . . \$1,103,000~~))

5 Appropriation:  
6 State Building Construction Account--State . . . . . \$723,000  
7 Prior Biennia (Expenditures) . . . . . \$5,583,000  
8 Future Biennia (Projected Costs) . . . . . \$0  
9 TOTAL . . . . . \$6,686,000

10 **Sec. 1032.** 2009 c 497 s 1073 (uncodified) is amended to read as  
11 follows:

12 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

13 Minor Works Preservation (30000012)

14 Appropriation:  
15 State Building Construction Account--State . . . . . ((~~\$2,800,000~~))  
16 \$3,400,000  
17 Prior Biennia (Expenditures) . . . . . \$0  
18 Future Biennia (Projected Costs) . . . . . \$34,109,000  
19 TOTAL . . . . . ((~~\$36,909,000~~))  
20 \$37,509,000

21 NEW SECTION. **Sec. 1033.** A new section is added to 2009 c 497  
22 (uncodified) to read as follows:

23 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

24 Capitol Campus Heating System Improvements (30000486)

25 Appropriation:  
26 State Building Construction Account--State . . . . . \$200,000  
27 Prior Biennia (Expenditures) . . . . . \$0  
28 Future Biennia (Projected Costs) . . . . . \$1,800,000  
29 TOTAL . . . . . \$2,000,000

31 **Sec. 1034.** 2009 c 497 s 1081 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

34 Pro Arts Building (91000002)



1       (~~The appropriation in this section is subject to the following~~  
2 ~~conditions and limitations:—~~ ~~Pre-design and design funds are provided~~  
3 ~~solely to develop a new office building. Up to \$225,000 may be used to~~  
4 ~~develop the pre-design for the Pro Arts site to include a new office~~  
5 ~~building that may house tenants from the general administration~~  
6 ~~building including the office of financial management, the Puget Sound~~  
7 ~~partnership, the office of the state treasurer, and other small~~  
8 ~~commissions and agencies. The pre-design shall be developed with~~  
9 ~~representatives from the capitol campus design advisory committee, the~~  
10 ~~department of general administration, and the office of financial~~  
11 ~~management. The pre-design shall be used to develop the optimum use of~~  
12 ~~space for the Pro Arts site, identify any required mitigation, parking~~  
13 ~~requirements, schedule of construction, and cost of construction. The~~  
14 ~~pre-design shall be provided to the appropriate fiscal committees of the~~  
15 ~~legislature and the office of financial management by February 1, 2010.~~  
16 ~~The allotment for design funds will be made after the pre-design is~~  
17 ~~approved by the office of financial management and the appropriate~~  
18 ~~fiscal committees of the legislature.))~~)

19 Appropriation:

20	State Building Construction Account--State . . . . .	((( \$2,000,000 )))
21		<u>\$225,000</u>
22	Prior Biennia (Expenditures) . . . . .	\$0
23	Future Biennia (Projected Costs) . . . . .	\$0
24	TOTAL . . . . .	((( \$2,000,000 )))
25		<u>\$225,000</u>

26       NEW SECTION.   **Sec. 1035.** A new section is added to 2009 c 497  
27 (uncodified) to read as follows:

28 **FOR THE MILITARY DEPARTMENT**

29       Camp Murray New Primary Gate Entrance (30000482)

30 Appropriation:

31	General Fund--Federal . . . . .	\$3,270,000
32	Military Department Capital Account--State . . . . .	\$1,657,000
33	Subtotal Appropriation . . . . .	\$4,927,000
34	Prior Biennia (Expenditures) . . . . .	\$0
35	Future Biennia (Projected Costs) . . . . .	\$0
36	TOTAL . . . . .	\$4,927,000

1       **Sec. 1036.** 2009 c 497 s 1086 (uncodified) is amended to read as  
2 follows:

3 **FOR THE MILITARY DEPARTMENT**

4       Minor Works Preservation (30000002)

5 Appropriation:

6	General Fund--Federal . . . . .	(( <del>\$3,069,000</del> ))
7		<u>\$8,672,000</u>
8	State Building Construction Account--State . . . . .	\$1,709,000
9	Subtotal Appropriation . . . . .	(( <del>\$4,778,000</del> ))
10		<u>\$10,381,000</u>
11	Prior Biennia (Expenditures) . . . . .	.\$0
12	Future Biennia (Projected Costs) . . . . .	\$18,700,000
13	TOTAL . . . . .	(( <del>\$23,478,000</del> ))
14		<u>\$29,081,000</u>

15       **Sec. 1037.** 2009 c 497 s 1087 (uncodified) is amended to read as  
16 follows:

17 **FOR THE MILITARY DEPARTMENT**

18       Minor Works Program (30000003)

19 Appropriation:

20	General Fund--Federal . . . . .	(( <del>\$679,000</del> ))
21		<u>\$3,139,000</u>
22	Prior Biennia (Expenditures) . . . . .	.\$0
23	Future Biennia (Projected Costs) . . . . .	\$10,229,000
24	TOTAL . . . . .	(( <del>\$10,908,000</del> ))
25		<u>\$13,368,000</u>

26       NEW SECTION. **Sec. 1038.** A new section is added to 2009 c 497  
27 (uncodified) to read as follows:

28 **FOR THE MILITARY DEPARTMENT**

29       Combined Support Maintenance Shop (20082006)

30 Appropriation:

31	General Fund--Federal . . . . .	\$4,736,000
32	Prior Biennia (Expenditures) . . . . .	.\$0

1	Future Biennia (Projected Costs) . . . . .	\$22,164,000
2	TOTAL . . . . .	\$26,900,000

(End of part)

PART 2

HUMAN SERVICES

Sec. 2001. 2009 c 497 s 2001 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Replace Hawthorne Hall Dormitory (20082001)

~~((The appropriation in this section is subject to the following conditions and limitations: The office of financial management shall allot funds for the dormitory construction at the criminal justice training commission only after the recommendation of the steering committee participating in the analysis in section 1057 of this act has been provided to the legislative fiscal committees and submitted to the office of financial management for review.~~

Appropriation:

~~State Building Construction Account--State . . . . . \$16,745,000))~~

Reappropriation:

State Building Construction Account--State . . . . .	\$632,000
Prior Biennia (Expenditures) . . . . .	\$1,293,000
Future Biennia (Projected Costs) . . . . .	(( \$0 ))
	<u>\$16,934,000</u>
TOTAL . . . . .	(( \$18,670,000 ))
	<u>\$18,859,000</u>

Sec. 2002. 2009 c 497 s 2002 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

School Mapping (30000011)

The appropriation in this section is subject to the following conditions and limitations: The legislature intends to complete half of the remaining community and technical college mapping with this appropriation ~~((and to appropriate funding for the remaining half of unmapped square feet in community and technical colleges in the 2011-13 biennium))~~.

Appropriation:

1 State Building Construction Account--State . . . . . ((~~\$500,000~~))  
2 \$1,100,000  
3 Prior Biennia (Expenditures) . . . . . \$0  
4 Future Biennia (Projected Costs) . . . . . ((~~\$546,000~~))  
5 \$0  
6 TOTAL . . . . . ((~~\$1,046,000~~))  
7 \$1,100,000

8 NEW SECTION. **Sec. 2003.** A new section is added to 2009 c 497  
9 (uncodified) to read as follows:

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

11 Central Office Roof Replacement and Fall Restraint Upgrade  
12 (30000012)

13 Appropriation:

14 Accident Account--State . . . . . \$1,250,000  
15 Medical Aid Account--State . . . . . \$1,250,000  
16 Subtotal Appropriation . . . . . \$2,500,000  
17 Prior Biennia (Expenditures) . . . . . \$0  
18 Future Biennia (Projected Costs) . . . . . \$0  
19 TOTAL . . . . . \$2,500,000

20 **Sec. 2004.** 2009 c 497 s 2027 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

23 Eastern State Hospital: Roof Replacements (30000846)

24 Appropriation:

25 State Building Construction Account--State . . . . . ((~~\$1,085,000~~))  
26 \$922,000  
27 Prior Biennia (Expenditures) . . . . . \$0  
28 Future Biennia (Projected Costs) . . . . . \$1,088,000  
29 TOTAL . . . . . ((~~\$2,173,000~~))  
30 \$2,010,000

31 **Sec. 2005.** 2009 c 497 s 2014 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

34 Special Commitment Center: Utility Replacements (20081504)

1 The reappropriation and appropriation in this section are subject  
 2 to the following conditions and limitations: It is the intent of the  
 3 appropriation and reappropriation to replace essential utilities, such  
 4 as sanitary sewer, high voltage electrical, and fiber optic  
 5 communications, serving the special commitment center and McNeil  
 6 corrections center on McNeil Island by replacing the Island's  
 7 electrical feed from the shoreline landing to the McNeil corrections  
 8 center generator building, and continuing on to the special commitment  
 9 center. The department shall coordinate the work with the department  
 10 of corrections for the most cost-effective approach to the work.

11 Reappropriation:

12 State Building Construction Account--State . . . . . \$2,900,000

13 Appropriation:

14 State Building Construction Account--State . . . . . ((~~\$3,490,000~~))  
 15 \$2,966,000  
 16 Prior Biennia (Expenditures) . . . . . \$140,000  
 17 Future Biennia (Projected Costs) . . . . . \$0  
 18 TOTAL . . . . . ((~~\$6,530,000~~))  
 19 \$6,006,000

20 NEW SECTION. **Sec. 2006.** A new section is added to 2009 c 497  
 21 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

23 Capacity to Replace Maple Lane School (92000005)

24 Appropriation:

25 State Building Construction Account--State . . . . . \$760,000  
 26 Prior Biennia (Expenditures) . . . . . \$0  
 27 Future Biennia (Projected Costs) . . . . . \$1,025,000  
 28 TOTAL . . . . . \$1,785,000

29 **Sec. 2007.** 2009 c 497 s 2034 (uncodified) is amended to read as  
 30 follows:

31 **FOR THE DEPARTMENT OF HEALTH**

32 Drinking Water Assistance Program (30000013)

33 The appropriation in this section is subject to the following

1 conditions and limitations: \$38,462,000 is provided from the American  
2 recovery and reinvestment act of 2009.

3 Appropriation:

4	Drinking Water Assistance Account--Federal . . . . .	(( <del>\$24,348,000</del> ))
5		<u>\$38,348,000</u>
6	Drinking Water Assistance Account--Federal	
7	American Recovery and Reinvestment Act . . . . .	\$38,462,000
8	Subtotal Appropriation . . . . .	(( <del>\$62,810,000</del> ))
9		<u>\$76,810,000</u>
10	Prior Biennia (Expenditures) . . . . .	\$0
11	Future Biennia (Projected Costs) . . . . .	\$0
12	TOTAL . . . . .	(( <del>\$62,810,000</del> ))
13		<u>\$76,810,000</u>

14 **Sec. 2008.** 2009 c 497 s 2037 (uncodified) is amended to read as  
15 follows:

16 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

17 State Veterans Cemetery (20082004)

18 Reappropriation:

19	General Fund--Federal . . . . .	\$6,815,000
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20 Appropriation:

21	<u>General Fund--Federal . . . . .</u>	<u>\$1,909,000</u>
22	Prior Biennia (Expenditures) . . . . .	\$1,010,000
23	Future Biennia (Projected Costs) . . . . .	\$0
24	TOTAL . . . . .	(( <del>\$7,825,000</del> ))
25		<u>\$9,734,000</u>

26 **Sec. 2009.** 2009 c 497 s 2038 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

29 Minor Works - Facilities Preservation (30000003)

30 Appropriation:

31	State Building Construction Account--State . . . . .	(( <del>\$500,000</del> ))
32		<u>\$775,000</u>
33	Prior Biennia (Expenditures) . . . . .	\$0
34	Future Biennia (Projected Costs) . . . . .	\$6,585,000
35	TOTAL . . . . .	(( <del>\$7,085,000</del> ))

1 \$7,360,000

2 **Sec. 2010.** 2009 c 497 s 2067 (uncodified) is amended to read as  
3 follows:

4 **FOR THE DEPARTMENT OF CORRECTIONS**

5 Washington Corrections Center for Women: Roof Replacement  
6 (30000178)

7 Appropriation:

8 State Building Construction Account--State . . . . . (~~(\$1,832,000)~~)  
9 \$1,557,000

10 Prior Biennia (Expenditures) . . . . . \$0

11 Future Biennia (Projected Costs) . . . . . \$0

12 TOTAL . . . . . (~~(\$1,832,000)~~)  
13 \$1,557,000

14 NEW SECTION. **Sec. 2011.** A new section is added to 2009 c 497  
15 (uncodified) to read as follows:

16 **FOR THE DEPARTMENT OF CORRECTIONS**

17 Washington State Penitentiary: Housing Units, Kitchen, and Site  
18 Work (30000482)

19 Appropriation:

20 State Building Construction Account--State . . . . . \$5,990,000

21 Public Safety Reimbursable Bond Account . . . . . \$829,000

22 Subtotal Appropriation . . . . . \$6,819,000

23 Prior Biennia (Expenditures) . . . . . \$0

24 Future Biennia (Projected Costs) . . . . . \$44,000,000

25 TOTAL . . . . . \$50,819,000

26 **Sec. 2012.** 2009 c 497 s 2072 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF CORRECTIONS**

29 Clallam Bay Corrections Center: Replace 5 Towers and Housing Roofs  
30 (30000108)

31 The appropriation in this section is subject to the following  
32 conditions and limitations: The funding is provided solely for the  
33 replacement of roofs on offender housing units.



1 Appropriation:  
 2 State Building Construction Account--State . . . . . ((~~\$3,000,000~~))  
 3 \$2,550,000  
 4 Prior Biennia (Expenditures) . . . . . \$0  
 5 Future Biennia (Projected Costs) . . . . . \$0  
 6 TOTAL . . . . . ((~~\$3,000,000~~))  
 7 \$2,550,000

8 **Sec. 2013.** 2009 c 497 s 2075 (uncodified) is amended to read as  
 9 follows:

10 **FOR THE DEPARTMENT OF CORRECTIONS**

11 Monroe Corrections Center: Water Line Replacements (30000137)

12 Appropriation:  
 13 State Building Construction Account--State . . . . . ((~~\$1,809,000~~))  
 14 \$1,538,000  
 15 Prior Biennia (Expenditures) . . . . . \$0  
 16 Future Biennia (Projected Costs) . . . . . \$0  
 17 TOTAL . . . . . ((~~\$1,809,000~~))  
 18 \$1,538,000

19 **Sec. 2014.** 2009 c 497 s 2078 (uncodified) is amended to read as  
 20 follows:

21 **FOR THE DEPARTMENT OF CORRECTIONS**

22 Washington State Penitentiary: Kitchen Improvements (20061007)

23 Reappropriation:  
 24 State Building Construction Account--State . . . . . ((~~\$402,000~~))  
 25 \$0  
 26 Prior Biennia (Expenditures) . . . . . \$228,000  
 27 Future Biennia (Projected Costs) . . . . . \$0  
 28 TOTAL . . . . . ((~~\$630,000~~))  
 29 \$228,000

30 **Sec. 2015.** 2009 c 497 s 2068 (uncodified) is amended to read as  
 31 follows:

32 **FOR THE DEPARTMENT OF CORRECTIONS**

33 300 Minimum Security Bed Expansion - Three Locations (20082850)

1 Reappropriation:  
 2 State Building Construction Account--State . . . . . ((~~\$321,000~~))  
 3 \$15,000  
 4 Prior Biennia (Expenditures) . . . . . \$156,000  
 5 Future Biennia (Projected Costs) . . . . . \$0  
 6 TOTAL . . . . . ((~~\$477,000~~))  
 7 \$171,000

8 **Sec. 2016.** 2009 c 497 s 2054 (uncodified) is amended to read as  
 9 follows:

10 **FOR THE DEPARTMENT OF CORRECTIONS**

11 Washington State Penitentiary: Replace Roofs (20081007)

12 Reappropriation:  
 13 State Building Construction Account--State . . . . . ((~~\$1,200,000~~))  
 14 \$180,000  
 15 Prior Biennia (Expenditures) . . . . . \$589,000  
 16 Future Biennia (Projected Costs) . . . . . \$0  
 17 TOTAL . . . . . ((~~\$1,789,000~~))  
 18 \$769,000

19 **Sec. 2017.** 2009 c 497 s 2064 (uncodified) is amended to read as  
 20 follows:

21 **FOR THE DEPARTMENT OF CORRECTIONS**

22 Mission Creek Corrections Center for Women: 100-Bed Expansion  
 23 (20082020)

24 Reappropriation:  
 25 State Building Construction Account--State . . . . . ((~~\$5,331,000~~))  
 26 \$4,419,000  
 27 Prior Biennia (Expenditures) . . . . . \$1,296,000  
 28 Future Biennia (Projected Costs) . . . . . \$0  
 29 TOTAL . . . . . ((~~\$6,627,000~~))  
 30 \$5,715,000

31 NEW SECTION. **Sec. 2018.** A new section is added to 2009 c 497  
 32 (uncodified) to read as follows:

33 **FOR THE DEPARTMENT OF CORRECTIONS**

34 Westside Corrections Complex: Siting and Predesign (92000032)

1	Appropriation:	
2	State Building Construction Account--State . . . . .	\$2,600,000
3	Prior Biennia (Expenditures) . . . . .	\$0
4	Future Biennia (Projected Costs) . . . . .	\$0
5	TOTAL . . . . .	\$2,600,000

(End of part)

1 PART 3

2 NATURAL RESOURCES

3 Sec. 3001. 2009 c 497 s 3059 (uncodified) is amended to read as  
4 follows:

5 **FOR THE DEPARTMENT OF ECOLOGY**

6 Kittitas Groundwater Study (30000029)

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

9 By September 30, 2010, if, after consultation with major Yakima  
10 basin governments and stakeholders, the department of ecology and  
11 Kittitas county reach an agreement on a preferred approach, including  
12 the appropriate geographic scope and administering entity, the  
13 appropriation may be fully or partially redirected for the following  
14 purposes:

15 (1) Funds may be provided to develop and implement water banking  
16 and transfer methods and agreements that are fully protective of senior  
17 water rights and that protect domestic groundwater users and improve  
18 the profitability of farming operations. The legislature finds such  
19 activities to be in the public interest because they can help sustain  
20 the viability of the agricultural economy and enhance the certainty of  
21 water supplies for domestic groundwater users.

22 (2) Funds may be provided to lease or purchase water rights to  
23 create a reserve water supply for domestic groundwater users that have  
24 a groundwater right with a priority date later than May 10, 1905, as  
25 well as for all out-of-priority groundwater users. In securing water  
26 for such domestic groundwater users, strong preference shall be given  
27 to the use of water banking and transfer methods that provide  
28 alternatives to permanent purchase and dry-up of agricultural water  
29 rights in the basin, including dry-year options, water banking, long-  
30 term water supply lease agreements, long-term agricultural land  
31 fallowing agreements, and reduced consumptive use through efficiency or  
32 alternative cropping arrangements while maintaining historic return  
33 flows.

34 (3) A portion of the appropriation may be used for administrative  
35 costs, not to exceed four percent, and other costs associated with  
36 leasing or acquiring and transferring the water rights. All costs

1 shall be fully recovered from participating domestic water users for  
2 their prorated portion of the cost, including but not limited to the  
3 costs of securing a water right or rights for this purpose, costs  
4 associated with the development and implementation of alternative  
5 agricultural water transfer methods, associated annual operational  
6 costs, and federal water service contract costs owed to the United  
7 States bureau of reclamation. Funds recovered in this manner shall be  
8 deposited in the state and local improvement revolving fund and may be  
9 used for any purpose provided in this section.

10 Appropriation:

11	State and Local Improvements Revolving Account	
12	(Water Supply Facilities)--State . . . . .	\$700,000
13	Prior Biennia (Expenditures) . . . . .	\$0
14	Future Biennia (Projected Costs) . . . . .	\$0
15	TOTAL . . . . .	\$700,000

16 **Sec. 3002.** 2009 c 497 s 3039 (uncodified) is amended to read as  
17 follows:

18 **FOR THE DEPARTMENT OF ECOLOGY**

19 Flood Protection Study (20082855)

20 The reappropriation in this section is subject to the following  
21 conditions and limitations: The reappropriation in this section is  
22 provided solely for the department to conduct a study to determine the  
23 number of decertified levees in the state and to identify strategies  
24 for maintaining accreditation, re-accrediting, or recertifying ((the))  
25 levees so that they ((provide)) are recognized by federal agencies as  
26 providing optimum protection for the communities protected by the  
27 levees. The department must prioritize areas to include in the study  
28 based on population and the economic impact of potential flood damage.

29 The study must include the following components:

- 30 (1) A working group of levee managers, local agencies, and  
31 stakeholders to advise and inform the study;
- 32 (2) ((A)) In-state examples of the costs and processes of technical  
33 review of the structural integrity of levee systems;
- 34 (3) An inventory, map, and ((rate the effectiveness)) description  
35 of the level of protection of existing levee systems; ((and))

1 (4) The development of strategies and actions needed to improve the  
2 existing levee system and to ensure certification by the United States  
3 army corps of engineers for one-hundred year flood protection;

4 (5) The identification of current funding sources and the amounts  
5 available for levee improvements; and

6 (6) Recommendation for additional new funding sources and options.

7 (7) The study must be completed and a report provided to the  
8 appropriate legislative committees by ((July)) December 1, 2010.

9 (8) The study under this section is exempt from the provisions of  
10 section 602, chapter 3, Laws of 2010 and section 7, chapter 5, Laws of  
11 2009.

12 Reappropriation:

13	State Building Construction Account--State . . . . .	\$280,000
14	Prior Biennia (Expenditures) . . . . .	\$0
15	Future Biennia (Projected Costs) . . . . .	\$0
16	TOTAL . . . . .	\$280,000

17 **Sec. 3003.** 2009 c 497 s 3007 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF ECOLOGY**

20 Sunnyside Valley Irrigation District Water Conservation (20052851)

21 Reappropriation:

22	State Building Construction Account--State . . . . .	\$2,800,000
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23 Appropriation:

24	State Building Construction Account--State . . . . .	<del>(\$2,850,000)</del>
25		<u>\$7,250,000</u>
26	Prior Biennia (Expenditures) . . . . .	\$4,147,000
27	Future Biennia (Projected Costs) . . . . .	\$4,000,000
28	TOTAL . . . . .	<del>(\$13,797,000)</del>
29		<u>\$18,197,000</u>

30 **Sec. 3004.** 2009 c 497 s 3049 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF ECOLOGY**

33 Upper Columbia River Black Sand Beach Cleanup (30000016)

34 Appropriation:

35	State Building Construction Account--State . . . . .	<del>(\$3,000,000)</del>
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1		<u>\$500,000</u>
2	Prior Biennia (Expenditures) . . . . .	\$.0
3	Future Biennia (Projected Costs) . . . . .	\$.0
4	TOTAL . . . . .	(( <del>\$3,000,000</del> ))
5		<u>\$500,000</u>

6       **Sec. 3005.** 2009 c 497 s 3054 (uncodified) is amended to read as  
7 follows:

8 **FOR THE DEPARTMENT OF ECOLOGY**

9       Storm Water Retrofit and Low-Impact Development Grant Program  
10 (30000097)

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

13       (1) \$1,343,000 of the state toxics control account--state  
14 appropriation is provided solely for storm water retrofit and low-  
15 impact development in the city of Bremerton.

16       (2) \$6,929,000 of the local toxics control account--state  
17 appropriation and \$1,071,000 of the state toxics control account--state  
18 appropriation is provided solely for local governments to build  
19 staffing capacity to address storm water in their communities and to  
20 improve storm water research, data management, and monitoring.

21       (3) The remaining moneys must be allocated through a grant process  
22 to local governments covered by national pollutant discharge  
23 elimination system municipal phase I or phase II permits to fund local  
24 government projects or activities that mitigate or prevent  
25 contamination of storm water or the recontamination of receiving waters  
26 previously remediated under federal or state-approved activities.

27 Appropriation:

28	State Building Construction Account--State . . . . .	(( <del>\$3,000,000</del> ))
29		<u>\$30,334,000</u>
30	<u>State Toxics Control Account--State . . . . .</u>	<u>\$15,737,000</u>
31	State and Local Improvements Revolving Account - Waste	
32	Disposal Facilities . . . . .	\$1,284,000
33	State and Local Improvements Revolving Account - Waste	
34	Disposal Facilities, 1980 . . . . .	\$325,000
35	<u>Local Toxics Control Account--State . . . . .</u>	<u>\$6,929,000</u>
36	Subtotal Appropriation . . . . .	(( <del>\$4,609,000</del> ))

1		<u>\$54,609,000</u>
2	Prior Biennia (Expenditures) . . . . .	.\$0
3	Future Biennia (Projected Costs) . . . . .	.\$0
4	TOTAL . . . . .	(( <del>\$4,609,000</del> ))
5		<u>\$54,609,000</u>

6       **Sec. 3006.** 2009 c 497 s 3060 (uncodified) is amended to read as  
7 follows:

8 **FOR THE DEPARTMENT OF ECOLOGY**

9 Remedial Action Grant Program (30000039)

10       The appropriation in this section is subject to the following  
11 conditions and limitations: \$3,000,000 is provided solely for the city  
12 of Bothell to remediate soil contamination.

13 Appropriation:

14	State Building Construction Account--State . . . . .	\$37,700,000
15	<u>Local Toxics Control Account--State . . . . .</u>	<u>\$38,211,000</u>
16	<u>Subtotal Appropriation . . . . .</u>	<u>\$75,911,000</u>
17	Prior Biennia (Expenditures) . . . . .	.\$0
18	Future Biennia (Projected Costs) . . . . .	\$180,000,000
19	TOTAL . . . . .	(( <del>\$217,700,000</del> ))
20		<u>\$255,911,000</u>

21       **Sec. 3007.** 2009 c 497 s 3020 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF ECOLOGY**

24 Breazeale Interpretive Center (20082856)

25 Reappropriation:

26	General Fund--Federal . . . . .	(( <del>\$270,000</del> ))
27		<u>\$419,000</u>
28	Prior Biennia (Expenditures) . . . . .	(( <del>\$225,000</del> ))
29		<u>\$76,000</u>
30	Future Biennia (Projected Costs) . . . . .	.\$0
31	TOTAL . . . . .	\$495,000

32       NEW SECTION. **Sec. 3008.** A new section is added to 2009 c 497  
33 (uncodified) to read as follows:



1 **FOR THE DEPARTMENT OF ECOLOGY**

2 Settlement Funding to Clean Up Toxic Sites (30000145)

3 Appropriation:

4	Cleanup Settlement Account--State . . . . .	\$8,500,000
5	Prior Biennia (Expenditures) . . . . .	.\$0
6	Future Biennia (Projected Costs) . . . . .	.\$0
7	TOTAL . . . . .	\$8,500,000

8 NEW SECTION. **Sec. 3009.** A new section is added to 2009 c 497  
9 (uncodified) to read as follows:

10 **FOR THE DEPARTMENT OF ECOLOGY**

11 Cleanup Asarco Contamination on Vashon/Maury Islands and Mines  
12 (91000009)

13 The appropriation in this section is subject to the following  
14 conditions and limitations: \$4,100,000 of the cleanup settlement  
15 account appropriation and \$10,900,000 of the state toxics control  
16 account appropriation are provided solely for the department of ecology  
17 to assist King County in the acquisition and remediation of property on  
18 Vashon and Maury Islands. The properties are in the Tacoma smelter  
19 plume area and are contaminated with arsenic and other heavy metals  
20 from the Asarco smelter.

21 Appropriation:

22	Cleanup Settlement Account--State . . . . .	\$4,100,000
23	State Toxics Control Account--State . . . . .	\$10,900,000
24	Subtotal Appropriation . . . . .	\$15,000,000
25	Prior Biennia (Expenditures) . . . . .	.\$0
26	Future Biennia (Projected Costs) . . . . .	.\$0
27	TOTAL . . . . .	\$15,000,000

28 NEW SECTION. **Sec. 3010.** A new section is added to 2009 c 497  
29 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF ECOLOGY**

31 Clean Up Toxic Sites - Puget Sound (30000144)

32 The appropriation in this section is subject to the following  
33 conditions and limitations: \$17,500,000 of the cleanup settlement

1 account--state appropriation is provided solely for cleanup activities  
2 associated with the Asarco contamination in Everett.

3 Appropriation:

4	State Building Construction Account--State . . . . .	\$511,000
5	Cleanup Settlement Account--State . . . . .	\$18,300,000
6	State Toxics Control Account--State . . . . .	\$22,387,000
7	Subtotal Appropriation . . . . .	\$41,198,000
8	Prior Biennia (Expenditures) . . . . .	\$0
9	Future Biennia (Projected Costs) . . . . .	\$0
10	TOTAL . . . . .	\$41,198,000

11 NEW SECTION. **Sec. 3011.** A new section is added to 2009 c 497  
12 (uncodified) to read as follows:

13 **FOR THE DEPARTMENT OF ECOLOGY**

14 Reducing Diesel Particle Emissions in Tacoma (30000139)

15 The appropriation in this section is provided contingent upon the  
16 department working with the Port of Tacoma to establish a diesel idling  
17 reduction program. The department shall report to the legislature by  
18 December 1, 2010, on the progress of the diesel idling reduction  
19 program and other efforts to reduce diesel particle emissions in  
20 Tacoma.

21 Appropriation:

22	Air Pollution Control Account--State . . . . .	\$1,000,000
23	Prior Biennia (Expenditures) . . . . .	\$0
24	Future Biennia (Projected Costs) . . . . .	\$0
25	TOTAL . . . . .	\$1,000,000

26 NEW SECTION. **Sec. 3012.** A new section is added to 2009 c 497  
27 (uncodified) to read as follows:

28 **FOR THE DEPARTMENT OF ECOLOGY**

29 Reducing Wood Smoke Particle Emissions in Tacoma (30000140)

30 Appropriation:

31	Air Pollution Control Account--State . . . . .	\$600,000
32	Prior Biennia (Expenditures) . . . . .	\$0
33	Future Biennia (Projected Costs) . . . . .	\$0
34	TOTAL . . . . .	\$600,000

1        NEW SECTION.    **Sec. 3013.**    A new section is added to 2009 c 497  
2    (uncodified) to read as follows:

3    **FOR THE DEPARTMENT OF ECOLOGY**

4        Water Pollution Control Revolving Fund Program Match (91000008)

5    Appropriation:

6	Public Works Assistance Account--State . . . . .	\$1,400,000
7	Prior Biennia (Expenditures) . . . . .	\$0
8	Future Biennia (Projected Costs) . . . . .	\$0
9	TOTAL . . . . .	\$1,400,000

10       NEW SECTION.    **Sec. 3014.**    A new section is added to 2009 c 497  
11    (uncodified) to read as follows:

12    **FOR THE DEPARTMENT OF ECOLOGY**

13        Water Pollution Control Revolving Fund Program (30000142)

14    Appropriation:

15	Water Pollution Control Revolving	
16	Account--State . . . . .	\$25,000,000
17	Water Pollution Control Revolving	
18	Account--Federal . . . . .	\$12,000,000
19	Subtotal Appropriation . . . . .	\$37,000,000
20	Prior Biennia (Expenditures) . . . . .	\$0
21	Future Biennia (Projected Costs) . . . . .	\$0
22	TOTAL . . . . .	\$37,000,000

23        **Sec. 3015.**    2009 c 497 s 3052 (uncodified) is amended to read as  
24    follows:

25    **FOR THE DEPARTMENT OF ECOLOGY**

26        Safe Soils Remediation Program (30000019)

27    Appropriation:

28	State Building Construction Account--State . . . . .	<del>(\$4,000,000)</del>
29		<u>\$2,380,000</u>
30	<u>Cleanup Settlement Account--State . . . . .</u>	<u>\$1,620,000</u>
31	Subtotal Appropriation . . . . .	\$4,000,000
32	Prior Biennia (Expenditures) . . . . .	\$0
33	Future Biennia (Projected Costs) . . . . .	\$0
34	TOTAL . . . . .	\$4,000,000

1 NEW SECTION. **Sec. 3016.** A new section is added to 2009 c 497  
 2 (uncodified) to read as follows:

3 **FOR THE DEPARTMENT OF ECOLOGY**

4 Wastewater Treatment and Water Reclamation (92000041)

5 The appropriation in this section is provided solely for wastewater  
 6 treatment and reclamation projects as follows:

7 <b>Project</b>	8 <b>Funding</b>
9 Potlatch wastewater treatment and reclamation.....	\$1,645,000
10 Willapa Harbor sewer project.....	\$1,000,000
11 Omak sanitary sewer project.....	\$450,000
Sultan wastewater treatment facility.....	\$335,000

12 Appropriation:

13 State Building Construction Account--State . . . . .	\$3,430,000
14 Prior Biennia (Expenditures) . . . . .	\$0
15 Future Biennia (Projected Costs) . . . . .	\$0
16 TOTAL . . . . .	\$3,430,000

17 **Sec. 3017.** 2009 c 497 s 3093 (uncodified) is amended to read as  
 18 follows:

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

20 Flaming Geyser State Park Park-wide Infrastructure Redevelopment  
 21 (30000173)

22 Appropriation:

23 State Building Construction Account--State . . . . .	(( <del>\$3,533,000</del> ))
	<u>\$3,003,000</u>
25 Prior Biennia (Expenditures) . . . . .	\$0
26 Future Biennia (Projected Costs) . . . . .	\$0
27 TOTAL . . . . .	(( <del>\$3,533,000</del> ))
	<u>\$3,003,000</u>

29 **Sec. 3018.** 2009 c 497 s 3094 (uncodified) is amended to read as  
 30 follows:

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

32 Dash Point State Park Sanitary Sewer Collection System (30000269)

1 Appropriation:

2	State Building Construction Account--State . . . . .	(( <del>\$3,820,000</del> ))
3		<u>\$3,247,000</u>
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs) . . . . .	.\$0
6	TOTAL . . . . .	(( <del>\$3,820,000</del> ))
7		<u>\$3,247,000</u>

8 **Sec. 3019.** 2009 c 497 s 3090 (uncodified) is amended to read as  
9 follows:

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

11 Illahee State Park Wastewater Treatment Upgrade (30000447)

12 Appropriation:

13	State Building Construction Account--State . . . . .	(( <del>\$1,850,000</del> ))
14		<u>\$1,572,000</u>
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs) . . . . .	.\$0
17	TOTAL . . . . .	(( <del>\$1,850,000</del> ))
18		<u>\$1,572,000</u>

19 **Sec. 3020.** 2009 c 497 s 3091 (uncodified) is amended to read as  
20 follows:

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

22 Cama Beach State Park (30000101)

23 Appropriation:

24	State Building Construction Account--State . . . . .	(( <del>\$3,265,000</del> ))
25		<u>\$2,775,000</u>
26	Prior Biennia (Expenditures) . . . . .	.\$0
27	Future Biennia (Projected Costs) . . . . .	.\$0
28	TOTAL . . . . .	(( <del>\$3,265,000</del> ))
29		<u>\$2,775,000</u>

30 **Sec. 3021.** 2009 c 497 s 3085 (uncodified) is amended to read as  
31 follows:

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

33 Federal Grant Authority (30000006)

1       The appropriation in this section is provided contingent upon the  
2 commission providing advance notice to the appropriate fiscal  
3 committees of the legislature and the office of financial management  
4 before applying for federal grants for acquisition of park lands and  
5 facilities. The commission shall submit this information in the form  
6 of a report that explains the funding source, the match and use  
7 requirements, a description of the project that will be funded, and a  
8 description of future impacts to the operating budget.

9 Appropriation:

10	General Fund--Federal . . . . .	(( <del>\$990,000</del> ))
11		<u>\$1,990,000</u>
12	Prior Biennia (Expenditures) . . . . .	.\$0
13	Future Biennia (Projected Costs) . . . . .	.\$4,000,000
14	TOTAL . . . . .	(( <del>\$4,990,000</del> ))
15		<u>\$5,990,000</u>

16       NEW SECTION. Sec. 3022. A new section is added to 2009 c 497  
17 (uncodified) to read as follows:

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

19 Deception Pass State Park - Wastewater System (30000483)

20 Appropriation:

21	State Building Construction Account--State . . . . .	.\$300,000
22	Prior Biennia (Expenditures) . . . . .	.\$0
23	Future Biennia (Projected Costs) . . . . .	.\$2,600,000
24	TOTAL . . . . .	.\$2,900,000

25       **Sec. 3023.** 2009 c 497 s 3109 (uncodified) is amended to read as  
26 follows:

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

28 Washington Wildlife and Recreation Program (20044002)

29       The reappropriations in this section are subject to the following  
30 conditions and limitations: Any amount of the reappropriations that is  
31 not obligated to a specific project may be used to fund alternate  
32 projects approved by the legislature from the same account in biennia  
33 succeeding that in which the moneys were originally appropriated.

34 Reappropriation:

1	Outdoor Recreation Account--State . . . . .	\$1,499,000
2	Habitat Conservation Account--State . . . . .	<del>(\$4,789,000)</del>
3		<u>\$4,319,000</u>
4	Subtotal Reappropriation . . . . .	<del>(\$6,288,000)</del>
5		<u>\$5,818,000</u>
6	Prior Biennia (Expenditures) . . . . .	\$38,712,000
7	Future Biennia (Projected Costs) . . . . .	\$0
8	TOTAL . . . . .	<del>(\$45,000,000)</del>
9		<u>\$44,530,000</u>

10       **Sec. 3024.** 2009 c 497 s 3133 (uncodified) is amended to read as  
11 follows:

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

13       Washington Wildlife Recreation Grants (20084011)

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

16       (1) The reappropriations are provided solely for the approved list  
17 of projects in LEAP capital document No. 2007-3 as developed on March  
18 17, 2007, and LEAP capital document No. 2008-1 as developed on February  
19 13, 2008.

20       (2) If additional funds are available after funding the farmlands  
21 preservation account projects approved in subsection (1) of this  
22 section, the committee may: Provide one-time grants of up to \$25,000  
23 each to counties requesting assistance in developing farmlands  
24 preservation strategies for the purpose of seeking grants from the  
25 farmlands preservation account in future grant cycles.

26       (3) Funds reappropriated for distribution according to the  
27 provisions of RCW 79A.15.040(1)(c) must be allocated forty percent to  
28 local government projects and sixty percent to state agency projects.  
29 If the cumulative total of local government projects is less than forty  
30 percent of the total distribution to this category, the difference may  
31 be allocated to state agency projects.

32       (4) Up to \$627,299 of the reappropriation from the riparian  
33 protection account is provided solely for the Chehalis river surge  
34 plain natural area preserve. This amount may not be expended for the  
35 project until the department of natural resources has completed a  
36 management plan for the preserve that maintains recreational access and

1 that management plan is presented to the house of representatives  
2 capital budget and senate ways and means committees.

3 Reappropriation:

4	Farmlands Preservation Account--State . . . . .	(( <del>\$5,300,000</del> ))
5		<u>\$4,319,000</u>
6	Riparian Protection Account--State . . . . .	\$12,500,000
7	Habitat Conservation Account--State . . . . .	\$23,956,000
8	Outdoor Recreation Account--State . . . . .	\$22,994,000
9	Subtotal Reappropriation . . . . .	(( <del>\$64,750,000</del> ))
10		<u>\$63,769,000</u>
11	Prior Biennia (Expenditures) . . . . .	\$35,250,000
12	Future Biennia (Projected Costs) . . . . .	\$0
13	TOTAL . . . . .	(( <del>\$100,000,000</del> ))
14		<u>\$99,019,000</u>

15 **Sec. 3025.** 2009 c 497 s 3138 (uncodified) is amended to read as  
16 follows:

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

18 Aquatic Lands Enhancement Account (30000007)

19 The appropriation in this section is subject to the following  
20 conditions and limitations: The appropriation is provided solely for  
21 the list of projects in LEAP capital document No. 2009-3, developed  
22 March 9, 2009.

23 Appropriation:

24	State Building Construction Account--State . . . . .	(( <del>\$5,025,000</del> ))
25		<u>\$4,025,000</u>
26	<u>Aquatic Lands Enhancement Account--State . . . . .</u>	<u>\$1,000,000</u>
27	<u>Subtotal Appropriation . . . . .</u>	<u>\$5,025,000</u>
28	Prior Biennia (Expenditures) . . . . .	\$0
29	Future Biennia (Projected Costs) . . . . .	\$20,100,000
30	TOTAL . . . . .	\$25,125,000

31 **Sec. 3026.** 2009 c 497 s 3157 (uncodified) is amended to read as  
32 follows:

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

34 Voights Creek Hatchery (20081003)



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

3 (1) \$200,000 of the amount appropriated is provided solely for the  
4 repair necessary to restore the facility for limited operations;

5 (2) \$550,000 of the amount appropriated is provided (~~solely~~) for  
6 property acquisition and permitting. No later than June 1, 2010, the  
7 department shall submit to the office of financial management and the  
8 fiscal committees of the legislature construction costs that total no  
9 more than fourteen million dollars.

10 If the department does not acquire property, the amount provided in  
11 this subsection shall lapse; and

12 (3) \$50,000 of the amount appropriated is provided solely for the  
13 department to participate in a work group with the Puyallup Tribe of  
14 Indians that will make recommendations no later than December 1, 2009,  
15 regarding the options for improving production from hatcheries along  
16 the Puyallup river system while reducing cost. Options to be  
17 considered include shifting production among the hatcheries,  
18 consolidation of hatcheries, and shifting responsibilities for  
19 construction, maintenance and operations of hatcheries.

20 Reappropriation:

21 State Building Construction Account--State . . . . . \$150,000

22 Appropriation:

23 State Building Construction Account--State . . . . . \$800,000

24 Prior Biennia (Expenditures) . . . . . \$355,000

25 Future Biennia (Projected Costs) . . . . . \$1,800,000

26 TOTAL . . . . . \$3,105,000

27 **Sec. 3027.** 2009 c 497 s 3168 (uncodified) is amended to read as  
28 follows:

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

30 Mitigation Projects and Dedicated Funding (20082048)

31 (~~The reappropriation in this section is subject to the following~~  
32 ~~conditions — and — limitations:~~) (1) The reappropriation and the  
33 appropriation in this section are provided contingent upon the  
34 department providing advance notice to the appropriate fiscal  
35 committees of the legislature and the office of financial management  
36 before applying for federal grants for acquisition of fish and wildlife

1 habitat lands. The department shall submit this information in the  
2 form of a report that explains the funding source, the match and use  
3 requirements, a description of the project that will be funded, and a  
4 description of future impacts to the operating budget.

5 (2) Up to \$2,300,000 of the reappropriation is provided solely for  
6 capital projects and engineering to pay the total cost of labor and  
7 materials provided by the department of fish and wildlife.

8 Reappropriation:

9 General Fund--Federal . . . . . \$9,000,000

10 Appropriation:

11 General Fund--Private/Local . . . . . \$2,500,000

12 Game Special Wildlife Account--Federal . . . . . \$600,000

13 Game Special Wildlife Account--Private/Local . . . . . \$900,000

14 General Fund--Federal . . . . . ((~~\$25,000,000~~))

15 \$31,000,000

16 Subtotal Appropriation . . . . . ((~~\$29,000,000~~))

17 \$35,000,000

18 Prior Biennia (Expenditures) . . . . . \$19,125,000

19 Future Biennia (Projected Costs) . . . . . \$114,800,000

20 TOTAL . . . . . ((~~\$171,925,000~~))

21 \$177,925,000

22 **Sec. 3028.** 2009 c 497 s 3169 (uncodified) is amended to read as  
23 follows:

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

25 Minor Works - Facility Preservation (30000149)

26 Appropriation:

27 State Building Construction Account--State . . . . . ((~~\$677,000~~))

28 \$420,000

29 Prior Biennia (Expenditures) . . . . . \$0

30 Future Biennia (Projected Costs) . . . . . \$10,000,000

31 TOTAL . . . . . ((~~\$10,677,000~~))

32 \$10,420,000

33 NEW SECTION. **Sec. 3029.** A new section is added to 2009 c 497  
34 (uncodified) to read as follows:

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

2 Leque Island Highway 532 Road Protection (92000019)

3 Appropriation:

4	State Building Construction Account--State . . . . .	\$680,000
5	Prior Biennia (Expenditures) . . . . .	\$0
6	Future Biennia (Projected Costs) . . . . .	\$0
7	TOTAL . . . . .	\$680,000

8 **Sec. 3030.** 2009 c 497 s 3172 (uncodified) is amended to read as  
9 follows:

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

11 Minor Works - Road Maintenance and Abandonment Plan (30000022)

12 Appropriation:

13	State Building Construction Account--State . . . . .	<del>(\$1,000,000)</del>
14		<u>\$950,000</u>
15	Prior Biennia (Expenditures) . . . . .	\$0
16	Future Biennia (Projected Costs) . . . . .	\$4,050,000
17	TOTAL . . . . .	<del>(\$5,050,000)</del>
18		<u>\$5,000,000</u>

19 **Sec. 3031.** 2009 c 497 s 3178 (uncodified) is amended to read as  
20 follows:

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

22 Minor Works - Dam and Dike (30000145)

23 Appropriation:

24	State Building Construction Account--State . . . . .	<del>(\$943,000)</del>
25		<u>\$897,000</u>
26	Prior Biennia (Expenditures) . . . . .	\$0
27	Future Biennia (Projected Costs) . . . . .	\$3,780,000
28	TOTAL . . . . .	<del>(\$4,723,000)</del>
29		<u>\$4,677,000</u>

30 **Sec. 3032.** 2009 c 497 s 3182 (uncodified) is amended to read as  
31 follows:

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

33 Minor Works - Programmatic (30000179)

1 Appropriation:

2	State Building Construction Account--State . . . . .	(( <del>\$400,000</del> ))
3		<u>\$250,000</u>
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs) . . . . .	.\$5,500,000
6	TOTAL . . . . .	(( <del>\$5,900,000</del> ))
7		<u>\$5,750,000</u>

8 NEW SECTION. **Sec. 3033.** A new section is added to 2009 c 497  
9 (uncodified) to read as follows:

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

11 Carpenter Creek Estuary Restoration (92000023)

12 The appropriation in this section is provided solely for estuary  
13 restoration in Carpenter Creek.

14 Appropriation:

15	State Building Construction Account--State . . . . .	.\$2,784,000
16	Prior Biennia (Expenditures) . . . . .	.\$0
17	Future Biennia (Projected Costs) . . . . .	.\$0
18	TOTAL . . . . .	.\$2,784,000

19 NEW SECTION. **Sec. 3034.** A new section is added to 2009 c 497  
20 (uncodified) to read as follows:

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

22 Puget Sound General Investigation for Nearshore Restoration  
23 (92000025)

24 Appropriation:

25	State Toxics Control Account--State . . . . .	.\$1,030,000
26	Prior Biennia (Expenditures) . . . . .	.\$0
27	Future Biennia (Projected Costs) . . . . .	.\$0
28	TOTAL . . . . .	.\$1,030,000

29 NEW SECTION. **Sec. 3035.** A new section is added to 2009 c 497  
30 (uncodified) to read as follows:

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

32 Puget Sound Flood Plain Restoration Projects (91000004)

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

3 (1) \$185,000 of the appropriation is provided solely for the South  
4 Fork Nooksack River and tributaries restoration project.

5 (2) \$381,000 of the appropriation is provided solely for the  
6 Nooksack Forks large woody debris placement project.

7 Appropriation:

8	State Building Construction Account--State . . . . .	\$566,000
9	Prior Biennia (Expenditures) . . . . .	.\$0
10	Future Biennia (Projected Costs) . . . . .	.\$0
11	TOTAL . . . . .	\$566,000

12 **Sec. 3036.** 2009 c 497 s 3197 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

15 Natural Resources Real Property Replacement (30000051)

16 The appropriation in this section is subject to the following  
17 conditions and limitations: The appropriation is provided solely for  
18 acquisition of working forest lands at risk of conversion to nonforest  
19 uses and working natural resource lands that will protect and enhance  
20 the value of trust land holdings. The legislature finds that the  
21 chronic loss of working forest lands threatens the long-term prospects  
22 of the timber products and other natural resource industries, which in  
23 turn threatens the long-term economic return for the beneficiaries of  
24 state trust lands. Acquisition of these lands is intended to help  
25 stabilize the primary source of revenue to trust land beneficiaries.  
26 The department shall submit a report to the appropriate committees of  
27 the legislature by October 1, 2010, and every two years thereafter,  
28 indicating the lands purchased under this section, showing the  
29 locations, acres, purchase price, and within that purchase price, the  
30 value of the property attributed to the future value of timber harvests  
31 given an expected rate of return for timber lands, and the value of the  
32 property attributed to future development of the property. It is the  
33 intent of the legislature to lease the development rights of these  
34 conversion lands and retain them as long-term working natural resource  
35 lands under the sustainable harvest plan. Working forest lands

1 acquired under this section shall be managed at a level equal to or  
2 greater than seventy-five percent of the expected harvest under the  
3 sustainable harvest plan.

4 The department shall not proceed with the Ice Harbor land exchange  
5 prior to June 30, 2011.

6 Appropriation:

7	Natural Resources Real Property Replacement	
8	Account--State . . . . .	\$50,000,000
9	Prior Biennia (Expenditures) . . . . .	\$0
10	Future Biennia (Projected Costs) . . . . .	\$200,000,000
11	TOTAL . . . . .	\$250,000,000

12 **Sec. 3037.** 2009 c 497 s 3203 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

15 Trust Land Transfer (30000066)

16 The appropriation in this section is subject to the following  
17 conditions and limitations:

18 (1) The total appropriation is provided to the department solely to  
19 transfer from trust status, or enter into fifty year leases for,  
20 certain trust lands of statewide significance deemed appropriate for  
21 state park, fish and wildlife habitat, natural area preserve, natural  
22 resources conservation area, open space, housing and essential  
23 government services, or recreation purposes. The approved list of  
24 properties for lease or transfer is identified in the LEAP capital  
25 document No. 2009-2a, developed April 23, 2009.

26 (2) Property transferred under this section must be appraised and  
27 transferred at fair market value. The value of the timber transferred  
28 must be deposited by the department to the common school construction  
29 account in the same manner as timber revenues from other common school  
30 trust lands. No deduction may be made for the resource management cost  
31 account under RCW 79.64.040. The value of the land transferred must be  
32 deposited in the natural resources real property replacement account.

33 (3) Property subject to lease agreements under this section must be  
34 appraised at fair market value. Lease terms must be fifty years with  
35 options to renew for an additional fifty years. Lease payments must be  
36 lump sum payments for the entire term of the lease at the beginning of

1 the lease. The department shall calculate such lump sum payments using  
2 professional appraisal standards. These lease payments may not exceed  
3 the fee simple purchase price based on current fair market value and  
4 must be deposited by the department to the common school construction  
5 account in the same manner as lease revenues from other common school  
6 trust lands. No deduction may be made for the resource management cost  
7 account under RCW 79.64.040.

8 (4) All reasonable costs incurred by the department to implement  
9 this section are authorized to be paid out of the appropriations.  
10 Authorized costs include the actual cost of appraisals, staff time,  
11 environmental reviews, surveys, and other similar costs and shall not  
12 exceed (~~one and nine tenths~~) two and six tenths percent of the  
13 appropriation.

14 (5) Intergrant exchanges between common school and other trust  
15 lands of equal value may occur if the exchange is in the interest of  
16 each trust, as determined by the board of natural resources.

17 (6) Prior to or concurrent with conveyance of these properties, the  
18 department, with full cooperation of the receiving agencies, shall  
19 execute and record a real property instrument that dedicates the  
20 transferred properties to the purposes identified in subsection (1) of  
21 this section. Transfer and lease agreements for properties identified  
22 in subsection (1) of this section must include terms that restrict the  
23 use of the property to the intended purpose. Transfer and lease  
24 agreements may include provisions for receiving agencies to request  
25 alternative uses of the property, provided the alternative uses are  
26 compatible with the original intended public purpose and the department  
27 and legislature approves such uses.

28 (7) The department and receiving agencies shall work in good faith  
29 to carry out the intent of this section. However, the department or  
30 receiving agencies may remove a property from the transfer list based  
31 on new, substantive information, if it is determined that transfer of  
32 the property is not in the statewide interest of either the common  
33 school trust or the receiving agency.

34 (8) The department shall execute trust land transfers that, after  
35 the deduction of reasonable costs as provided in subsection (4) of this  
36 section, eighty percent of the total value of transferred property is  
37 timber value and is deposited in the common school construction

1 account. To achieve the eighty percent requirement, the department may  
2 choose to lease properties originally intended as transfers.

3 (9) \$4,189,000 of the amount appropriated is provided solely for  
4 fifty-year leases of development rights from timber lands at risk of  
5 conversion to non-timber land uses purchased from appropriations in the  
6 2007-2009 fiscal period.

7 (10) (~~On June 30, 2011,~~) The state treasurer shall transfer all  
8 remaining uncommitted funds from this appropriation to the common  
9 school construction account and the appropriations in this section  
10 shall be reduced by an equivalent amount.

11 Appropriation:

12	State Building Construction Account--State . . . . .	\$100,133,000
13	Prior Biennia (Expenditures) . . . . .	\$0
14	Future Biennia (Projected Costs) . . . . .	\$400,000,000
15	TOTAL . . . . .	\$500,133,000

16 NEW SECTION. **Sec. 3038.** A new section is added to 2009 c 497  
17 (uncodified) to read as follows:

18 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

19 Forest Hazard Reduction and Biomass Equipment (91000003)

20 The appropriation in this section is subject to the following  
21 conditions and limitations:

22 (1) The natural resources equipment account appropriation in this  
23 section is provided solely for the purchase of forest biomass feedstock  
24 processing equipment appropriate for forest biomass-to-energy projects  
25 in eastern Washington in areas with a scarcity of primary wood  
26 processing facilities, or for making grants on a competitive basis to  
27 local governments or nonprofit entities in such local areas for  
28 purchase of such equipment. Equipment purchased, either by the  
29 department or a grantee, must be made available for lease, or other  
30 lawful means of conveyance, or be operated directly, for use in forest  
31 biomass-to-energy projects in an area of eastern Washington with a  
32 scarcity of primary wood processing facilities. In providing for the  
33 use of such equipment, consideration shall be given by the department  
34 or grantee in the opportunity for the forest biomass-to-energy project  
35 to promote forest treatments to improve forest health and/or remove



1 hazardous buildup of forest fuels. Consideration may also be given to  
2 generating jobs in counties with high rates of unemployment.

3 (2) The state building construction account--state appropriation is  
4 provided solely for forest improvement treatments on forest lands of  
5 eastern Washington with the five highest priority fire and disease  
6 hazards in Stevens, Ferry, Lincoln, Pend Oreille, Okanogan, Yakima,  
7 Kittitas, and Spokane counties. Forest treatments on private lands  
8 funded by this appropriation require an agreement with the property  
9 owner that includes a commitment to maintain the improvements to forest  
10 health.

11 Appropriation:

12	Natural Resources Equipment Account . . . . .	\$750,000
13	State Building Construction Account--State . . . . .	\$2,000,000
14	Subtotal Appropriation . . . . .	\$2,750,000
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs) . . . . .	.\$0
17	TOTAL . . . . .	\$2,750,000

18 NEW SECTION. **Sec. 3039.** A new section is added to 2009 c 497  
19 (uncodified) to read as follows:

20 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

21 Removal/Cleanup of Asarco Docks in Ruston/Commencement Bay  
22 (91000004)

23 Appropriation:

24	Resource Management Cost Account--State . . . . .	\$2,050,000
25	Prior Biennia (Expenditures) . . . . .	.\$0
26	Future Biennia (Projected Costs) . . . . .	.\$0
27	TOTAL . . . . .	\$2,050,000

28 NEW SECTION. **Sec. 3040.** A new section is added to 2009 c 497  
29 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

31 Puget Sound Cleanup and Recovery (92000003)

32 The appropriation in this section is subject to the following  
33 conditions and limitations: \$1,030,000 of the cleanup settlement  
34 account--state appropriation is provided solely for removal of  
35 contaminated pilings and habitat restoration in Commencement Bay.

1 These funds are provided contingent upon receiving concurrence from the  
2 department of ecology that the project is aligned with the ten year  
3 plan for cleaning up Asarco- related contamination.

4 Appropriation:

5	Cleanup Settlement Account--State . . . . .	\$1,030,000
6	Prior Biennia (Expenditures) . . . . .	.\$0
7	Future Biennia (Projected Costs) . . . . .	.\$0
8	TOTAL . . . . .	\$1,030,000

9 NEW SECTION. Sec. 3041. A new section is added to 2009 c 497  
10 (uncodified) to read as follows:

11 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

12 Forest Riparian Easement Program (30000070)

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

15 (1) \$600,000 of the forest and fish support account appropriation  
16 is provided contingent upon the sale of the king air by the department.  
17 The office of financial management shall allot only an amount that is  
18 equivalent to the proceeds received from the sale of the king air and  
19 no more than \$600,000.

20 (2) If the appropriation in this section is less than the level  
21 demanded in submitted applications, the department of natural resources  
22 shall prioritize the use of the funds as follows:

23 (3) Highest priority shall be given to applications that include  
24 one or more of the following conditions, in the following priority  
25 order: (a) The greatest proportion of riparian buffer impacted in the  
26 related forest practices application; (b) lands in deferred tax status  
27 of classified timber land or classified open space as defined in RCW  
28 84.34.020; (c) lands at greatest risk of conversion to other land uses  
29 as determined by county zoning and land classifications and proximity  
30 to urban growth areas or other areas of concentrated land development;  
31 (d) lands that are certified by a forest certification recognized by  
32 the department; (e) the applicant has not received a forestry riparian  
33 easement since July 1, 2007; (f) the applicant is not a nonprofit  
34 organization; (g) the applicant has been waiting three years or more  
35 for a forestry easement purchase; and (h) the application does not

1 include any of the conditions specified in subsection (2) of this  
2 section.

3 (4) The lowest priority shall be given to applications that include  
4 any of the following conditions: (a) The forest management activities  
5 for the aggregated ownership of the landowner referenced in the  
6 application, his or her spouse, and his or her children exceed the  
7 small forest landowner definition in RCW 76.13.120(2)(c); (b) the  
8 applicant has had legal ownership for less than five years, except when  
9 the applicant is a lineal descendant of a landowner meeting this  
10 condition; (c) the applicant has an outstanding violation of the forest  
11 practices act under chapter 76.09 RCW; (d) the applicant is in default  
12 on a financial obligation to an agency of the state including  
13 noncompliance with a child support order under RCW 74.20A.320; (e) the  
14 application is for land on which other conservation easements have been  
15 executed and recorded on the title; or (f) the land is owned by a  
16 nonprofit organization that does not have deferred tax designations of  
17 either classified timber land or classified open space as defined in  
18 RCW 84.34.020 and does not have a county-recognized forest management  
19 plan.

20 (5) The department of natural resources shall use legally binding  
21 affidavits to obtain from the applicants any supplemental information  
22 necessary to assist in prioritizing the use of the funds appropriated  
23 in this section. The department must verify the prioritized use of the  
24 funds appropriated in this section by: (a) Investigating a random  
25 subset of affidavits for easements purchased for an amount less than  
26 one hundred thousand dollars; and (b) investigating all easements  
27 purchased for an amount in excess of one hundred thousand dollars.

28 (6) The department shall work with interested stakeholders to  
29 develop recommendations for changes to the ongoing eligibility,  
30 prioritization, and policy provisions of the forestry riparian easement  
31 program specified in RCW 76.13.120. In developing these  
32 recommendations, the department and the interested stakeholders shall  
33 consider the inclusion of the conditions utilized in this section to  
34 establish eligibility and prioritization of funding. The department  
35 and the interested stakeholders shall submit final recommendations in  
36 the form of legislation to the office of financial management and the  
37 legislature by October 1, 2010.

38 Appropriation:

1 State Building Construction Account--State . . . . . \$500,000  
 2 Forest and Fish Support Account--State . . . . . \$600,000  
 3 Subtotal Appropriation . . . . . \$1,100,000  
 4 Prior Biennia (Expenditures) . . . . . \$0  
 5 Future Biennia (Projected Costs) . . . . . \$0  
 6 TOTAL . . . . . \$1,100,000

7 NEW SECTION. **Sec. 3042.** A new section is added to 2009 c 497  
 8 (uncodified) to read as follows:

9 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

10 Elk River Estuarine Lands Acquisition (91000007)

11 Appropriation:

12 General Fund--Federal . . . . . \$1,000,000  
 13 Prior Biennia (Expenditures) . . . . . \$0  
 14 Future Biennia (Projected Costs) . . . . . \$0  
 15 TOTAL . . . . . \$1,000,000

(End of part)

**PART 4**  
**TRANSPORTATION**

**Sec. 4001.** 2009 c 497 s 4008 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

Commute Trip Reduction for Thurston County State Agencies  
(92000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for implementation of chapter 427, Laws of 2009 (Substitute Senate Bill No. 6088 (commute trip reduction)).

Appropriation:

State Vehicle Parking Account--State . . . . .	(\$734,000)
	<u>\$650,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	(\$734,000)
	<u>\$650,000</u>

NEW SECTION. **Sec. 4002.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

Freight Mobility Study - SR 12 & Schouweiler Road (91000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of transportation to conduct a study on improving freight mobility on state route no. 12 in the vicinity of Elma. The study shall include a review of possible improvements to freight mobility at Schouweiler Road.

Appropriation:

State Building Construction Account--State . . . . .	\$500,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$500,000

1        NEW SECTION.    **Sec. 4003.**    A new section is added to 2009 c 497  
2    (uncodified) to read as follows:

3    **FOR THE WASHINGTON STATE PATROL**

4        High Speed Driving Simulators (92000001)

5        The appropriation in this section is subject to the following  
6    conditions and limitations:    The appropriation is provided solely for  
7    the purchase of two mobile high speed driving simulators.    The  
8    Washington state patrol must assist in the purchase of the simulators  
9    and vehicles for transporting the simulators, and transfer ownership of  
10   the simulators and vehicles to the appropriate agency after  
11   consultation with stakeholders.    The Washington state patrol must train  
12   the trainers on the use of the simulators.    The simulators are intended  
13   to move among local police and sheriff departments in order to reduce  
14   the risks to officers and the public from high speed pursuits.

15    Appropriation:

16	State Building Construction Account--State . . . . .	\$600,000
17	Prior Biennia (Expenditures) . . . . .	\$0
18	Future Biennia (Projected Costs) . . . . .	\$0
19	TOTAL . . . . .	\$600,000

(End of part)

**PART 5**  
**EDUCATION**

**Sec. 5001.** 2009 c 497 s 5007 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Vocational Skills Centers (20084300)

Reappropriation:

State Building Construction Account--State . . . . .	(( <del>\$58,546,000</del> ))
	<u>\$55,546,000</u>
Prior Biennia (Expenditures) . . . . .	\$15,161,000
Future Biennia (Projected Costs) . . . . .	\$.0
TOTAL . . . . .	(( <del>\$73,707,000</del> ))
	<u>\$70,707,000</u>

**Sec. 5002.** 2009 c 497 s 5008 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Northeast King County Skills Center (20084855)

Appropriation:

School Construction/Skills Center Building	
Account--State . . . . .	(( <del>\$9,049,000</del> ))
	<u>\$8,052,000</u>
Prior Biennia (Expenditures) . . . . .	\$550,000
Future Biennia (Projected Costs) . . . . .	\$.0
TOTAL . . . . .	(( <del>\$9,599,000</del> ))
	<u>\$8,602,000</u>

**Sec. 5003.** 2009 c 497 s 5009 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

North Central Technical Skills Center (20084861)

Appropriation:

School Construction/Skills Center Building	
Account--State . . . . .	(( <del>\$4,007,000</del> ))
	<u>\$3,960,000</u>

1	Prior Biennia (Expenditures) . . . . .	\$50,000
2	Future Biennia (Projected Costs) . . . . .	\$18,500,000
3	TOTAL . . . . .	<del>(\$22,557,000)</del>
4		<u>\$22,510,000</u>

5 **Sec. 5004.** 2009 c 497 s 5002 (uncodified) is amended to read as  
6 follows:

7 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

8 School Construction Assistance Grants (20084200)

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

11 For school construction projects funded through the school  
12 construction assistance grant program, the superintendent of public  
13 instruction shall require mapping the design of new facilities and  
14 remapping the design of facilities to be remodeled.

15 Reappropriation:

16	Common School Construction Account--State . . . . .	\$176,922,000
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17 Appropriation:

18	State Building Construction Account--State . . . . .	\$137,267,000
19	Prior Biennia (Expenditures) . . . . .	\$477,570,000
20	Future Biennia (Projected Costs) . . . . .	\$0
21	TOTAL . . . . .	\$791,759,000

22 **Sec. 5005.** 2009 c 497 s 5013 (uncodified) is amended to read as  
23 follows:

24 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

25 Vocational Skills Center Minor Capital Projects (30000002)

26 Appropriation:

27	School Construction and Skill Centers Building	
28	Account--State . . . . .	<del>(\$3,694,000)</del>
29		<u>\$3,594,000</u>
30	Prior Biennia (Expenditures) . . . . .	\$0
31	Future Biennia (Projected Costs) . . . . .	\$0
32	TOTAL . . . . .	<del>(\$3,694,000)</del>
33		<u>\$3,594,000</u>



1       **Sec. 5006.** 2009 c 497 s 5014 (uncodified) is amended to read as  
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

4       2009-11 School Construction Assistance Grant Program (30000031)

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

7       ~~(1) ((The office of the superintendent of public instruction shall  
8 develop a tracking system to increase accuracy in predicting the timing  
9 of school district claims for reimbursement for school construction  
10 assistance grants. The office of the superintendent of public  
11 instruction shall also improve its communication with school districts  
12 regarding the status of grant projects and create requirements  
13 regarding the timing of reimbursement claims. The office of the  
14 superintendent of public instruction shall submit a report on the  
15 progress of the new tracking and communication system to the  
16 appropriate committees of the legislature by November 15, 2009. The  
17 report must include a list of school district capital projects  
18 receiving state funding and each project's anticipated final  
19 reimbursement date.~~

20       (2)) In calculating square foot eligibility for state assistance  
21 grants, kindergarten student headcount shall not be reduced by fifty  
22 percent.

23       (2) For school construction projects funded through the school  
24 construction assistance grant program, the superintendent of public  
25 instruction shall require mapping the design of new facilities and  
26 remapping the design of facilities to be remodeled.

27       (3) Up to \$17,000,000 of the state building construction account--  
28 state appropriation in this section is for the Grand Coulee Dam school  
29 district school project, contingent on the availability of sufficient  
30 contributions from federal, local, or private sources to make up the  
31 remainder of the total cost of the project. The Grand Coulee Dam  
32 school district is faced with a unique set of local funding barriers  
33 and federal funds may substitute as the usual requirement for school  
34 district participation. In the event sufficient matching contributions  
35 are not secured, these funds shall lapse.

36       (4) \$250,000 of the common school construction account--state  
37 appropriation is provided solely for the office of the superintendent  
38 of public instruction to develop a K-12 facility inventory and

1 condition system based on option number 3, described in the joint  
 2 legislative audit and review committee's January 2010 report, "K-12  
 3 Pilot Facility Inventory, Condition and Use System" as providing semi-  
 4 customized information capabilities with complete state data. The  
 5 office of the superintendent of public instruction must require school  
 6 districts to submit any energy audits completed for K-12 public school  
 7 buildings to be incorporated in the inventory system. It is the  
 8 legislature's intent to improve the availability of information  
 9 regarding the local use of state funds provided for school maintenance.  
 10 Although school facilities are constructed by, and the property of,  
 11 local jurisdictions, the legislature encourages school districts to  
 12 invest in activities that extend the useful life of school district  
 13 facilities. The state's general taxpayers have an interest in  
 14 information regarding these local decisions since state policy has been  
 15 to contribute funds in the biennial omnibus operating budget for  
 16 facilities' maintenance and to contribute capital budget funds to  
 17 eligible districts for renovation and replacement of buildings. In  
 18 light of 2010 legislation enacting changes to RCW 28A.150.260 that  
 19 increase state funding for school maintenance from \$73.27 per annual  
 20 average full-time equivalent K-12 student to \$153.18 per student by the  
 21 2015-16 school year, with annual adjustments for inflation thereafter,  
 22 it is the legislature's intent to facilitate development of an  
 23 information system that will provide better data regarding school  
 24 districts' use of any state funds provided to assist with maintenance  
 25 and to monitor facilities' conditions.

26 Appropriation:

27	State Building Construction Account--State . . . . .	(( \$369,920,000 ))
28		\$259,000,000
29	Common School Construction Account--State . . . . .	(( \$259,029,000 ))
30		\$200,826,000
31	Common School Construction Account--Federal . . . . .	(( \$2,500,000 ))
32		\$1,700,000
33	School Construction and Skill Centers Building	
34	Account--Bond--State . . . . .	(( \$58,284,000 ))
35		\$59,428,000
36	Subtotal Appropriation . . . . .	(( \$689,733,000 ))
37		\$520,954,000
38	Prior Biennia (Expenditures) . . . . .	\$0

1	Future Biennia (Projected Costs) . . . . .	\$3,921,000,000
2	TOTAL . . . . .	(( <del>\$4,610,733,000</del> ))
3		<u>\$4,441,954,000</u>

4       **Sec. 5007.** 2009 c 497 s 5011 (uncodified) is amended to read as  
5 follows:

6       **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

7       (~~Health, Safety,~~) Energy Efficiency and Small Repair Grants  
8 (91000007)

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

11       (1) Up to \$3,000,000 of the appropriation is provided solely for  
12 nonrecurring costs associated with school facility repairs and  
13 renovations necessary for health and safety. The office of the  
14 superintendent of public instruction, after consulting with maintenance  
15 and operations administrators of school districts, shall develop  
16 criteria for providing funding for specific projects to stay within the  
17 appropriation level provided in this section. The criteria must  
18 include, but are not limited to, the following: (a) Limiting recipient  
19 district applications to one hundred thousand dollars per three-year  
20 period; (b) limiting districts eligible to receive the grant only once  
21 in any three-year period; and (c) requiring any district receiving  
22 funding provided in this section to demonstrate a consistent commitment  
23 to addressing school facilities needs.

24       (2) (~~The~~) \$50,000,000 of the new appropriation is provided solely  
25 for energy operational cost savings (~~and safety and health~~  
26 ~~infrastructure~~) improvements to school facilities (~~initiated after~~  
27 ~~July 1, 2009~~). The appropriation must be distributed using the  
28 performance-based contracting method of delivering energy operational  
29 cost savings (~~and safety and health infrastructure~~) improvements to  
30 public facilities(~~, unless the minimal cost or the immediacy of the~~  
31 ~~project makes performance based contracting impracticable. If the~~  
32 ~~minimal cost or immediacy of the project makes performance based~~  
33 ~~contracting impracticable, the school district must receive a waiver~~  
34 ~~from the office of the superintendent of public instruction in order to~~  
35 ~~use the appropriation to address safety and health needs)).~~

36       (3) The superintendent of public instruction must report to the

1 appropriate committees of the legislature and the office of financial  
2 management on the timing and use of the funds by the end of each fiscal  
3 year, until the funds are fully expended.

4 (4) \$100,000 of the appropriation is provided solely to the Monroe  
5 public schools for retrofitting the Frank Wagner Elementary chimney.

6 Appropriation:

7	State Building Construction Account--State . . . . .	(( <del>\$20,000,000</del> ))
8		<u>\$70,000,000</u>
9	Prior Biennia (Expenditures) . . . . .	.\$0
10	Future Biennia (Projected Costs) . . . . .	.\$0
11	TOTAL . . . . .	(( <del>\$20,000,000</del> ))
12		<u>\$70,000,000</u>

13 NEW SECTION. **Sec. 5008.** A new section is added to 2009 c 497  
14 (uncodified) to read as follows:

15 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**  
16 **LOSS**

17 Lloyd Auditorium Emergency Repairs (30000012)

18 Appropriation:

19	State Building Construction Account--State . . . . .	.\$2,500,000
20	Prior Biennia (Expenditures) . . . . .	.\$0
21	Future Biennia (Projected Costs) . . . . .	.\$0
22	TOTAL . . . . .	\$2,500,000

23 **Sec. 5009.** 2009 c 497 s 5027 (uncodified) is amended to read as  
24 follows:

25 **FOR THE UNIVERSITY OF WASHINGTON**

26 Balmer Hall Reconstruction (20081004)

27 The reappropriation in this section is subject to the following  
28 conditions and limitations: For construction of the facility  
29 identified in this section, the university is authorized to issue a  
30 bond or bonds financed from building fee and trust land revenue  
31 deposited into the university bond retirement account in accordance  
32 with RCW 28B.20.700 through 28B.20.740, provided that: (1) The total  
33 amount of debt to be serviced from the building account shall not  
34 exceed \$42,800,000; (2) if bonds for the project are issued as build  
35 America bonds, federal refunds on the bond interest cost shall be

1 deposited into the University of Washington building account  
2 proportional to this project's share of the total bond issuance; and  
3 (3) for the portion of the project that is serviced by building fee and  
4 trust land revenues, the university shall select the financing method  
5 that results in the lowest cost to the University of Washington  
6 building account.

7 Reappropriation:

8	State Building Construction Account--State . . . . .	\$3,000,000
9	Prior Biennia (Expenditures) . . . . .	\$1,000,000
10	Future Biennia (Projected Costs) . . . . .	<del>(\$38,600,000)</del>
11		\$0
12	TOTAL . . . . .	<del>(\$42,600,000)</del>
13		<u>\$4,000,000</u>

14 **Sec. 5010.** 2009 c 497 s 5029 (uncodified) is amended to read as  
15 follows:

16 **FOR THE UNIVERSITY OF WASHINGTON**

17 Interdisciplinary Academic Building (20082003)

18 The reappropriation in this section is subject to the following  
19 conditions and limitations: In conjunction with the reappropriation in  
20 this section, the University of Washington is authorized to issue a  
21 bond or bonds in an amount not to exceed \$53,554,000 in value for  
22 construction of the molecular engineering building identified in this  
23 section. The bond shall be financed from building fee and trust land  
24 revenues deposited into the university's bond retirement account, in  
25 accordance with RCW 28B.20.700 through 28B.20.740, provided that: (1)  
26 If bonds for the project are issued as build America bonds, federal  
27 refunds on the bond interest cost shall be deposited into the  
28 University of Washington building account proportional to this  
29 project's share of the total bond issuance; and (2) for the portion of  
30 the project that is serviced by building fee and trust land revenues,  
31 the university shall select the financing method that results in the  
32 lowest cost to the University of Washington building account.

33 Reappropriation:

34	State Building Construction Account--State . . . . .	\$1,000,000
35	Prior Biennia (Expenditures) . . . . .	\$4,000,000
36	Future Biennia (Projected Costs) . . . . .	\$0

1 TOTAL . . . . . \$5,000,000

2 **Sec. 5011.** 2009 c 497 s 5024 (uncodified) is amended to read as  
3 follows:

4 **FOR THE UNIVERSITY OF WASHINGTON**

5 Clark Hall Renovation (20061007)

6 Reappropriation:

7 Education Construction Account--State . . . . . (~~(\$2,000,000)~~)  
8 \$967,000

9 Appropriation:

10 State Building Construction Account--State . . . . . \$183,000

11 Prior Biennia (Expenditures) . . . . . \$16,054,000

12 Future Biennia (Projected Costs) . . . . . \$0

13 TOTAL . . . . . (~~(\$18,054,000)~~)  
14 \$17,204,000

15 **Sec. 5012.** 2009 c 497 s 5023 (uncodified) is amended to read as  
16 follows:

17 **FOR THE UNIVERSITY OF WASHINGTON**

18 Savery Hall Renovation (20061005)

19 Reappropriation:

20 Gardner-Evans Higher Education Construction  
21 Account--State . . . . . (~~(\$11,000,000)~~)  
22 \$10,822,000

23 Prior Biennia (Expenditures) . . . . . \$50,510,000

24 Future Biennia (Projected Costs) . . . . . \$0

25 TOTAL . . . . . (~~(\$61,510,000)~~)  
26 \$61,332,000

27 **Sec. 5013.** 2009 c 497 s 5026 (uncodified) is amended to read as  
28 follows:

29 **FOR THE UNIVERSITY OF WASHINGTON**

30 Denny Hall Renovation (20081002)

31 Reappropriation:

32 State Building Construction Account--State . . . . . (~~(\$1,700,000)~~)  
33 \$0

1 Prior Biennia (Expenditures) . . . . . \$3,200,000  
 2 Future Biennia (Projected Costs) . . . . . (~~(\$47,992,000)~~)  
 3 \$49,692,000  
 4 TOTAL . . . . . (~~(\$53,692,000)~~)  
 5 \$52,892,000

6 **Sec. 5014.** 2009 c 497 s 5028 (uncodified) is amended to read as  
 7 follows:

8 **FOR THE UNIVERSITY OF WASHINGTON**

9 Intermediate Student Service and Classroom Improvements (20081005)

10 Reappropriation:

11 Education Construction Account--State . . . . . (~~(\$7,245,000)~~)  
 12 \$311,000

13 Appropriation:

14 State Building Construction Account--State . . . . . \$6,934,000  
 15 Prior Biennia (Expenditures) . . . . . \$6,036,000  
 16 Future Biennia (Projected Costs) . . . . . \$0  
 17 TOTAL . . . . . \$13,281,000

18 **Sec. 5015.** 2009 c 497 s 5037 (uncodified) is amended to read as  
 19 follows:

20 **FOR THE UNIVERSITY OF WASHINGTON**

21 Lewis Hall Renovation (20081003)

22 Reappropriation:

23 State Building Construction Account--State . . . . . (~~(\$1,000,000)~~)  
 24 \$478,000

25 Prior Biennia (Expenditures) . . . . . \$1,000,000  
 26 Future Biennia (Projected Costs) . . . . . \$23,585,000  
 27 TOTAL . . . . . (~~(\$25,585,000)~~)  
 28 \$25,063,000

29 **Sec. 5016.** 2009 c 497 s 5030 (uncodified) is amended to read as  
 30 follows:

31 **FOR THE UNIVERSITY OF WASHINGTON**

32 UW Tacoma (20082005)

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

1 identified in this section, the university is authorized to issue a  
 2 bond or bonds financed from building fee and trust land revenue  
 3 deposited into the university bond retirement account in accordance  
 4 with RCW 28B.20.700 through 28B.20.740, provided that: (1) The total  
 5 amount of debt to be serviced for this project from the building  
 6 account shall not exceed \$7,450,000; (2) if bonds for all or a portion  
 7 of the project are issued as build America bonds, federal refunds on  
 8 the bond interest cost shall be deposited into the University of  
 9 Washington building account proportional to this project's share of the  
 10 total bond issuance; and (3) for the portion of the project that is  
 11 serviced by building fee and trust land revenues, the university shall  
 12 select the financing method that results in the lowest cost to the  
 13 University of Washington building account.

14 Reappropriation:

15	State Building Construction Account--State . . . . .	\$4,000,000
16	Appropriation:	
17	State Building Construction Account--State . . . . .	(( <del>\$34,000,000</del> ))
18		\$16,768,000
19	<u>University of Washington Building Account--State . . . . .</u>	<u>\$14,007,000</u>
20	<u>Subtotal Appropriation . . . . .</u>	<u>\$30,775,000</u>
21	Prior Biennia (Expenditures) . . . . .	\$2,150,000
22	Future Biennia (Projected Costs) . . . . .	(( <del>\$17,044,000</del> ))
23		\$0
24	TOTAL . . . . .	(( <del>\$57,194,000</del> ))
25		<u>\$36,925,000</u>

26 **Sec. 5017.** 2009 c 497 s 5041 (uncodified) is amended to read as  
 27 follows:

28 **FOR THE UNIVERSITY OF WASHINGTON**

29 Preventative Facility Maintenance and Building System Repairs  
 30 (30000287)

31 Appropriation:

32	University of Washington Building	
33	Account--State . . . . .	(( <del>\$25,825,000</del> ))
34		<u>\$20,741,000</u>
35	Prior Biennia (Expenditures) . . . . .	\$0
36	Future Biennia (Projected Costs) . . . . .	\$103,300,000



1 TOTAL . . . . . ((~~\$129,125,000~~))  
2 \$124,041,000

3 **Sec. 5018.** 2009 c 497 s 5035 (uncodified) is amended to read as  
4 follows:

5 **FOR THE UNIVERSITY OF WASHINGTON**

6 UW Tacoma - Land Acquisition (20092003)

7 (~~Reappropriation:~~  
8 ~~Education Construction Account--State . . . . . \$469,000~~)

9 Appropriation:

10 University of Washington Building Account--State . . . . . \$2,469,000

11 Prior Biennia (Expenditures) . . . . . \$1,531,000

12 Future Biennia (Projected Costs) . . . . . \$0

13 TOTAL . . . . . ((~~\$2,000,000~~))

14 \$4,000,000

15 **Sec. 5019.** 2009 c 497 s 5039 (uncodified) is amended to read as  
16 follows:

17 **FOR THE UNIVERSITY OF WASHINGTON**

18 Minor Works - Facility Preservation (30000027)

19 Appropriation:

20 State Building Construction Account--State . . . . . ((~~\$26,000,000~~))

21 \$19,135,000

22 University of Washington Building  
23 Account--State . . . . . ((~~\$8,175,000~~))

24 \$15,040,000

25 Subtotal Appropriation . . . . . \$34,175,000

26 Prior Biennia (Expenditures) . . . . . \$0

27 Future Biennia (Projected Costs) . . . . . \$146,000,000

28 TOTAL . . . . . \$180,175,000

29 **Sec. 5020.** 2009 c 497 s 5055 (uncodified) is amended to read as  
30 follows:

31 **FOR THE WASHINGTON STATE UNIVERSITY**

32 Minor Works - Preservation (30000065)

33 Appropriation:

34 State Building Construction Account--State . . . . . ((~~\$16,128,000~~))

1		<u>\$23,903,000</u>
2	Washington State University Building Account--	
3	State . . . . .	(( <del>\$10,000,000</del> ))
4		<u>\$2,225,000</u>
5	Subtotal Appropriation . . . . .	\$26,128,000
6	Prior Biennia (Expenditures) . . . . .	\$0
7	Future Biennia (Projected Costs) . . . . .	\$0
8	TOTAL . . . . .	\$26,128,000

9       **Sec. 5021.** 2009 c 497 s 5047 (uncodified) is amended to read as  
10 follows:

11 **FOR THE WASHINGTON STATE UNIVERSITY**

12       WSU Vancouver - Applied Technology and Classroom Building  
13 (20062950)

14       In conjunction with the appropriation in this section, Washington  
15 State University is authorized to issue a bond or bonds in an amount  
16 not to exceed \$10,000,000 in value for construction of the facility  
17 identified in this section. The bond must be financed from building  
18 fee and trust land revenues deposited into the university's bond  
19 retirement account in accordance with RCW 28B.30.700 through  
20 28B.30.780.

21 Reappropriation:

22	State Building Construction Account--State . . . . .	\$1,500,000
23	Appropriation:	
24	State Building Construction Account--State . . . . .	(( <del>\$26,742,000</del> ))
25		<u>\$23,593,000</u>
26	Prior Biennia (Expenditures) . . . . .	\$3,420,000
27	Future Biennia (Projected Costs) . . . . .	\$0
28	TOTAL . . . . .	(( <del>\$31,662,000</del> ))
29		<u>\$28,513,000</u>

30       **Sec. 5022.** 2009 c 497 s 5054 (uncodified) is amended to read as  
31 follows:

32 **FOR THE WASHINGTON STATE UNIVERSITY**

33       WSU Spokane - Riverpoint Biomedical & Health Sciences (20162953)

34 Appropriation:

35	State Building Construction Account--State . . . . .	(( <del>\$4,340,000</del> ))
----	--	------------------------------

1		<u>\$7,840,000</u>
2	Prior Biennia (Expenditures) . . . . .	\$0
3	Future Biennia (Projected Costs) . . . . .	(((\$39,775,000))
4		<u>\$70,775,000</u>
5	TOTAL . . . . .	(((\$44,115,000))
6		<u>\$78,615,000</u>

7       **Sec. 5023.** 2009 c 497 s 5056 (uncodified) is amended to read as  
8 follows:

9       **FOR THE WASHINGTON STATE UNIVERSITY**

10       Minor Works - Program (30000066)

11       Appropriation:

12	State Building Construction Account--State . . . . .	(((\$7,042,000))
13		<u>\$17,527,000</u>

14	<del>((Washington State University Building Account--</del>	
15	State . . . . .	\$10,485,000
16	Subtotal Appropriation . . . . .	\$17,527,000))

17	Prior Biennia (Expenditures) . . . . .	\$0
18	Future Biennia (Projected Costs) . . . . .	\$3,073,000
19	TOTAL . . . . .	\$20,600,000

20       **Sec. 5024.** 2009 c 497 s 5057 (uncodified) is amended to read as  
21 follows:

22       **FOR THE WASHINGTON STATE UNIVERSITY**

23       Preventative Facility Maintenance and Building System Repairs  
24 (30000287)

25       Appropriation:

26	Washington State University Building Account--	
27	State . . . . .	(((\$10,115,000))
28		<u>\$28,375,000</u>

29	Prior Biennia (Expenditures) . . . . .	\$0
30	Future Biennia (Projected Costs) . . . . .	\$40,460,000
31	TOTAL . . . . .	(((\$50,575,000))
32		<u>\$68,835,000</u>

33       **Sec. 5025.** 2009 c 497 s 5064 (uncodified) is amended to read as  
34 follows:

1 **FOR THE EASTERN WASHINGTON UNIVERSITY**  
2 Patterson Hall Remodel (20062002)  
3 Reappropriation:  
4 State Building Construction Account--State . . . . . \$400,000  
5 Appropriation:  
6 State Building Construction Account--State . . . . . (~~(\$26,600,000)~~)  
7 \$24,170,000  
8 Prior Biennia (Expenditures) . . . . . \$1,734,000  
9 Future Biennia (Projected Costs) . . . . . \$34,416,000  
10 TOTAL . . . . . (~~(\$63,150,000)~~)  
11 \$60,720,000

12 **Sec. 5026.** 2009 c 497 s 5061 (uncodified) is amended to read as  
13 follows:

14 **FOR THE EASTERN WASHINGTON UNIVERSITY**  
15 Minor Works - Health, Safety, and Code Requirements (20081002)  
16 Reappropriation:  
17 Education Construction Account--State . . . . . (~~(\$1,500,000)~~)  
18 \$157,000  
19 Appropriation:  
20 State Building Construction Account--State . . . . . \$1,343,000  
21 Prior Biennia (Expenditures) . . . . . \$2,500,000  
22 Future Biennia (Projected Costs) . . . . . \$0  
23 TOTAL . . . . . \$4,000,000

24 **Sec. 5027.** 2009 c 497 s 5065 (uncodified) is amended to read as  
25 follows:

26 **FOR THE EASTERN WASHINGTON UNIVERSITY**  
27 Preventive Maintenance and Building System Repairs (30000044)  
28 Appropriation:  
29 Eastern Washington University Capital Projects  
30 Account--State . . . . . (~~(\$2,217,000)~~)  
31 \$4,409,000  
32 Prior Biennia (Expenditures) . . . . . \$0  
33 Future Biennia (Projected Costs) . . . . . \$8,868,000  
34 TOTAL . . . . . (~~(\$11,085,000)~~)

Sec. 5028. 2009 c 497 s 5068 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON UNIVERSITY

Minor Works - Facility Preservation (30000054)

Appropriation:

State Building Construction Account--State . . . . . ((\$3,000,000))
\$1,375,000

Eastern Washington University Capital Projects

Account--State . . . . . \$1,625,000
Subtotal Appropriation . . . . . \$3,000,000

Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs) . . . . . \$12,000,000
TOTAL . . . . . \$15,000,000

Sec. 5029. 2009 c 497 s 5079 (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works - Infrastructure Preservation (30000009)

Appropriation:

State Building Construction Account--State . . . . . ((\$690,000))
\$601,000

Central Washington University Capital Projects

Account--State . . . . . ((\$2,050,000))
\$2,139,000
Subtotal Appropriation . . . . . \$2,740,000

Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs) . . . . . \$12,000,000
TOTAL . . . . . \$14,740,000

Sec. 5030. 2009 c 497 s 5080 (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works - Facility Preservation (30000016)

Appropriation:

((State Building Construction Account--State))

1 Central Washington University Capital Projects

2	<u>Account--State</u> . . . . .	\$2,610,000
3	Prior Biennia (Expenditures) . . . . .	.\$0
4	Future Biennia (Projected Costs) . . . . .	\$12,000,000
5	TOTAL . . . . .	\$14,610,000

6 **Sec. 5031.** 2009 c 497 s 5083 (uncodified) is amended to read as  
7 follows:

8 **FOR THE CENTRAL WASHINGTON UNIVERSITY**

9 Preventative Facility Maintenance and Building System Repairs  
10 (30000287)

11 Appropriation:

12	Central Washington University Capital	
13	Project Account--State . . . . .	<del>(( \$2,422,000 ))</del>
14		<u>\$4,407,000</u>
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs) . . . . .	\$9,688,000
17	TOTAL . . . . .	<del>(( \$12,110,000 ))</del>
18		<u>\$14,095,000</u>

19 **Sec. 5032.** 2009 c 497 s 5092 (uncodified) is amended to read as  
20 follows:

21 **FOR THE EVERGREEN STATE COLLEGE**

22 Minor Works - Preservation (30000003)

23 Appropriation:

24	State Building Construction Account--State . . . . .	<del>(( \$760,000 ))</del>
25		<u>\$4,007,000</u>
26	The Evergreen State College Capital Projects	
27	Account--State . . . . .	<del>(( \$3,765,000 ))</del>
28		<u>\$518,000</u>
29	Subtotal Appropriation . . . . .	\$4,525,000
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs) . . . . .	.\$0
32	TOTAL . . . . .	\$4,525,000

33 **Sec. 5033.** 2009 c 497 s 5094 (uncodified) is amended to read as  
34 follows:

1 **FOR THE EVERGREEN STATE COLLEGE**

2 Laboratory and Art Annex Building Renovation (30000026)

3 Appropriation:

4 ((~~State Building Construction Account--State~~)) The

5 Evergreen State College Capital Projects

6 Account--State . . . . . \$4,849,000

7 Prior Biennia (Expenditures) . . . . . \$0

8 Future Biennia (Projected Costs) . . . . . \$0

9 TOTAL . . . . . \$4,849,000

10 **Sec. 5034.** 2009 c 497 s 5093 (uncodified) is amended to read as  
11 follows:

12 **FOR THE EVERGREEN STATE COLLEGE**

13 Minor Works - Health, Safety, Code Compliance (30000016)

14 Appropriation:

15 State Building Construction Account--State . . . . . ((~~\$2,515,000~~))

16 \$1,953,000

17 The Evergreen State College Capital Projects

18 Account--State . . . . . \$562,000

19 Subtotal Appropriation . . . . . \$2,515,000

20 Prior Biennia (Expenditures) . . . . . \$0

21 Future Biennia (Projected Costs) . . . . . \$0

22 TOTAL . . . . . \$2,515,000

23 **Sec. 5035.** 2009 c 497 s 5097 (uncodified) is amended to read as  
24 follows:

25 **FOR THE EVERGREEN STATE COLLEGE**

26 Preventative Facility Maintenance and Building System Repairs  
27 (30000287)

28 Appropriation:

29 The Evergreen State College Capital Projects

30 Account--State . . . . . ((~~\$760,000~~))

31 \$4,007,000

32 Prior Biennia (Expenditures) . . . . . \$0

33 Future Biennia (Projected Costs) . . . . . \$0

34 TOTAL . . . . . ((~~\$760,000~~))

1 \$4,007,000

2 NEW SECTION. Sec. 5036. A new section is added to 2009 c 497  
3 (uncodified) to read as follows:

4 **FOR THE EVERGREEN STATE COLLEGE**

5 Feasibility Study of Biomass Gasification Project (92000007)

6 Appropriation:

7	State Building Construction Account--State . . . . .	\$125,000
8	Prior Biennia (Expenditures) . . . . .	\$0
9	Future Biennia (Projected Costs) . . . . .	\$0
10	TOTAL . . . . .	\$125,000

11 **Sec. 5037.** 2009 c 497 s 5104 (uncodified) is amended to read as  
12 follows:

13 **FOR THE WESTERN WASHINGTON UNIVERSITY**

14 Minor Works - Program (20082093)

15 Reappropriation:

16	State Building Construction Account--State . . . . .	\$1,500,000
17	Western Washington University Capital Projects	
18	Account--State . . . . .	<del>(\$2,500,000)</del>
19		<u>\$587,000</u>
20	Subtotal Reappropriation . . . . .	<del>(\$4,000,000)</del>
21		<u>\$2,087,000</u>

22 Appropriation:

23	<u>State Building Construction Account--State . . . . .</u>	<u>\$1,913,000</u>
24	Prior Biennia (Expenditures) . . . . .	\$6,000,000
25	Future Biennia (Projected Costs) . . . . .	\$0
26	TOTAL . . . . .	\$10,000,000

27 **Sec. 5038.** 2009 c 497 s 5100 (uncodified) is amended to read as  
28 follows:

29 **FOR THE WESTERN WASHINGTON UNIVERSITY**

30 Miller Hall Renovation (20041953)

31 Reappropriation:

32	State Building Construction Account--State . . . . .	\$2,000,000
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33 Appropriation:



1 State Building Construction Account--State . . . . . ((~~\$54,625,000~~))  
2 \$45,744,000  
3 Prior Biennia (Expenditures) . . . . . \$3,773,000  
4 Future Biennia (Projected Costs) . . . . . \$0  
5 TOTAL . . . . . ((~~\$60,398,000~~))  
6 \$51,517,000

7 **Sec. 5039.** 2009 c 497 s 5111 (uncodified) is amended to read as  
8 follows:

9 **FOR THE WESTERN WASHINGTON UNIVERSITY**

10 Preventative Facility Maintenance and Building System Repairs  
11 (30000287)

12 Appropriation:

13 Western Washington University Capital Projects  
14 Account--State . . . . . ((~~\$3,614,000~~))  
15 \$5,814,000  
16 Prior Biennia (Expenditures) . . . . . \$0  
17 Future Biennia (Projected Costs) . . . . . \$14,456,000  
18 TOTAL . . . . . ((~~\$18,070,000~~))  
19 \$20,270,000

20 NEW SECTION. **Sec. 5040.** A new section is added to 2009 c 497  
21 (uncodified) to read as follows:

22 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

23 Vancouver National Historic Reserve West Barracks (91000002)

24 The appropriation in this section is subject to the following  
25 conditions and limitations:

26 (1) Project funds are available on a reimbursement basis only, and  
27 shall not be advanced under any circumstances.

28 (2)(a) The Washington state historical society shall include  
29 provisions in the contract under this section that require that: (i)  
30 Capital improvements be held by the grantee for a specified period of  
31 time that is appropriate to the amount of the grant; and (ii) the  
32 facility be used to provide a public benefit.

33 (b) If the grantee is found to be out of compliance with provisions  
34 of the contract, the grantee shall repay to the state general fund the

1 principal amount of the grant plus interest calculated at the rate of  
2 interest on state of Washington general obligation bonds issued most  
3 closely to the date of authorization of the grant.

4 Appropriation:

5	State Building Construction Account--State . . . . .	\$1,000,000
6	Prior Biennia (Expenditures) . . . . .	\$0
7	Future Biennia (Projected Costs) . . . . .	\$0
8	TOTAL . . . . .	\$1,000,000

9 NEW SECTION. **Sec. 5041.** A new section is added to 2009 c 497  
10 (uncodified) to read as follows:

11 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

12 Vancouver National Historic Reserve Visitors Center (91000001)

13 Appropriation:

14	State Building Construction Account . . . . .	\$750,000
15	Prior Biennia (Expenditures) . . . . .	\$0
16	Future Biennia (Projected Costs) . . . . .	\$0
17	TOTAL . . . . .	\$750,000

18 **Sec. 5042.** 2009 c 497 s 5115 (uncodified) is amended to read as  
19 follows:

20 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

21 Washington Heritage Projects (20044004)

22 The reappropriation in this section is subject to the following  
23 conditions and limitations: The reappropriation is adjusted for the  
24 termination of the Bigelow House preservation association project which  
25 is no longer viable.

26 Reappropriation:

27	State Building Construction Account--State . . . . .	<del>(\$690,000)</del>
28		<u>\$657,000</u>
29	Prior Biennia (Expenditures) . . . . .	\$3,310,000
30	Future Biennia (Projected Costs) . . . . .	\$0
31	TOTAL . . . . .	<del>(\$4,000,000)</del>
32		<u>\$3,967,000</u>

1       **Sec. 5043.** 2009 c 497 s 5116 (uncodified) is amended to read as  
2 follows:

3 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

4       Statewide - Washington Heritage Project Grants (20064004)

5       The reappropriation in this section is subject to the following  
6 conditions and limitations:

7       (1) The reappropriation is subject to the provisions of section  
8 ((733)) 212, chapter ((488)) 371, Laws of ((2005)) 2006.

9       (2) The reappropriation is adjusted for the termination of the  
10 Village Theatre project which is no longer viable.

11 Reappropriation:

12	State Building Construction Account--State . . . . .	(( <del>\$1,318,000</del> ))
13		<u>\$1,253,000</u>
14	Prior Biennia (Expenditures) . . . . .	\$3,346,000
15	Future Biennia (Projected Costs) . . . . .	\$0
16	TOTAL . . . . .	(( <del>\$4,664,000</del> ))
17		<u>\$4,599,000</u>

18       **Sec. 5044.** 2009 c 497 s 5118 (uncodified) is amended to read as  
19 follows:

20 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

21       Washington Heritage Grants (20074004)

22       The reappropriation in this section is subject to the following  
23 conditions and limitations:

24       (1) The reappropriation is subject to the project list in section  
25 5137, chapter 520, Laws of 2007.

26       (2) The reappropriation is adjusted for the termination of the  
27 Martin Luther King Ballet project which is no longer viable.

28       (3) The reappropriation for the historic Seattle PDA project is  
29 transferred to the Center for Wooden Boats.

30 Reappropriation:

31	State Building Construction Account--State . . . . .	(( <del>\$7,630,000</del> ))
32		<u>\$7,580,000</u>
33	Prior Biennia (Expenditures) . . . . .	\$2,370,000
34	Future Biennia (Projected Costs) . . . . .	\$0
35	TOTAL . . . . .	(( <del>\$10,000,000</del> ))

Sec. 5045. 2009 c 497 s 5120 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Washington Heritage Project Capital Grants (30000011)

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

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects.

(3) The 2011-13 projects must be selected based on their readiness to proceed.

Project	Recommended
Wenatchee Valley Museum	\$150,000
West Point Light Station	\$300,000
Des Moines Field House	\$420,000
Washington Hall	\$381,000
Percival Landing	\$567,000
Roslyn City Hall & Library	\$194,000
<del>((Spokane County courthouse</del>	<del>\$500,000))</del>
Snoqualmie Chapel car #5	\$125,000
Edmonds Carnegie Library	\$48,000
museum	
Ilwaco museum collections	\$41,000
Minkler Mansion	\$200,000
Cheney house for a museum	\$87,000
Longview Columbia theatre	\$1,000,000
Chinook School	\$350,000
Territorial Courthouse of 1858	\$167,000
Hanford Interpretive Center	\$147,000
Carnegie Library Museum	\$883,000
Dynamite Train Canopy	\$50,000
King Street Station	\$750,000

1	Lakewood Carriage House	\$110,000
2	Lincoln School	\$175,000
3	Quincy Pioneer Church	\$195,000
4	Ezra Meeker Mansion	\$100,000
5	Port Townsend Storage Facility	\$450,000
6	Puyallup Church Spire	\$17,000
7	Morris House and Washington	\$27,000
8	Harbor School	
9	Kalama Interpretive Center	\$212,000
10	Foss Waterway Seaport	\$750,000
11	Building	
12	Pioneer State Bank Building	\$201,000
13	Kirkman House	\$32,000
14	Malo Sawmill	\$70,000
15	Stimson-Green Mansion	\$23,000
16	Lightship #83	\$335,000
17	Masonic Temple Building	\$350,000
18	Wilkeson Centennial	\$10,000
19	Monument	
20	Eddon Boatyard ways and dock	\$243,000
21	Commencement Restoration	\$86,000
22	Vessel Shenandoah	\$179,000
23	((Walt's Mill	\$75,000))
24	TOTAL	(((\$10,000,000))
25		<u>\$9,425,000</u>

26 Appropriation:

27	State Building Construction Account--State . . . . .	(((\$10,000,000))
28		<u>\$9,425,000</u>
29	Prior Biennia (Expenditures) . . . . .	\$0
30	Future Biennia (Projected Costs) . . . . .	\$40,000,000
31	TOTAL . . . . .	(((\$50,000,000))
32		<u>\$49,425,000</u>

33 **Sec. 5046.** 2009 c 497 s 5174 (uncodified) is amended to read as  
34 follows:

35 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

1 Seattle Central Community College: Wood Construction Center  
 2 (20081216)

3 Reappropriation:  
 4 State Building Construction Account--State . . . . . \$2,000,000

5 Appropriation:  
 6 State Building Construction Account--State . . . . . (~~(\$24,645,000)~~)  
 7 \$19,760,000

8 Prior Biennia (Expenditures) . . . . . \$549,000  
 9 Future Biennia (Projected Costs) . . . . . \$0  
 10 TOTAL . . . . . (~~(\$27,194,000)~~)  
 11 \$22,309,000

12 **Sec. 5047.** 2009 c 497 s 5176 (uncodified) is amended to read as  
 13 follows:

14 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

15 Peninsula College: Business and Humanities Center (20081218)

16 Reappropriation:  
 17 State Building Construction Account--State . . . . . \$1,200,000

18 Appropriation:  
 19 State Building Construction Account--State . . . . . (~~(\$33,627,000)~~)  
 20 \$29,644,000

21 Prior Biennia (Expenditures) . . . . . \$1,100,000  
 22 Future Biennia (Projected Costs) . . . . . \$0  
 23 TOTAL . . . . . (~~(\$35,927,000)~~)  
 24 \$31,944,000

25 **Sec. 5048.** 2009 c 497 s 5127 (uncodified) is amended to read as  
 26 follows:

27 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

28 Tacoma Community College - Science Building (20012687)

29 Reappropriation:  
 30 State Building Construction Account--State . . . . . (~~(\$1,773,000)~~)  
 31 \$855,000

32 Prior Biennia (Expenditures) . . . . . \$30,123,000  
 33 Future Biennia (Projected Costs) . . . . . \$0

1 TOTAL . . . . . ((~~\$31,896,000~~))  
2 \$30,978,000

3 **Sec. 5049.** 2009 c 497 s 5180 (uncodified) is amended to read as  
4 follows:

5 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
6 Green River Community College - Trades and Industry Building  
7 (20081222)

8 Reappropriation:  
9 State Building Construction Account--State . . . . . \$11,000

10 Appropriation:  
11 State Building Construction Account--State . . . . . ((~~\$2,625,000~~))  
12 \$1,707,000

13 Prior Biennia (Expenditures) . . . . . \$127,000  
14 Future Biennia (Projected Costs) . . . . . ((~~\$28,737,000~~))  
15 \$29,655,000  
16 TOTAL . . . . . \$31,500,000

17 **Sec. 5050.** 2009 c 497 s 5171 (uncodified) is amended to read as  
18 follows:

19 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
20 Minor Works - Facility Preservation - Roof Repairs (20081010)

21 Reappropriation:  
22 Education Construction Account--State . . . . . ((~~\$2,500,000~~))

23 \$392,000  
24 State Building Construction Account--State . . . . . \$1,000,000  
25 Subtotal Reappropriation . . . . . ((~~\$3,500,000~~))  
26 \$1,392,000

27 Appropriation:  
28 State Building Construction Account--State . . . . . \$2,108,000

29 Prior Biennia (Expenditures) . . . . . \$4,176,000  
30 Future Biennia (Projected Costs) . . . . . \$0  
31 TOTAL . . . . . \$7,676,000

32 **Sec. 5051.** 2009 c 497 s 5182 (uncodified) is amended to read as  
33 follows:

1 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
2 Skagit Valley College - Academic and Student Services Building  
3 (20081224)  
4 Reappropriation:  
5 State Building Construction Account--State . . . . . \$35,000  
6 Appropriation:  
7 State Building Construction Account--State . . . . . ((~~\$2,116,000~~))  
8 \$1,730,000  
9 Prior Biennia (Expenditures) . . . . . \$101,000  
10 Future Biennia (Projected Costs) . . . . . ((~~\$28,949,000~~))  
11 \$29,335,000  
12 TOTAL . . . . . \$31,201,000

13 **Sec. 5052.** 2009 c 497 s 5210 (uncodified) is amended to read as  
14 follows:

15 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
16 Roof Repairs "A" (30000010)  
17 Appropriation:  
18 State Building Construction Account--State . . . . . ((~~\$8,493,000~~))  
19 \$2,627,000  
20 Community/Technical College Capital Projects  
21 Account--State . . . . . \$6,854,000  
22 Subtotal Appropriation . . . . . \$9,481,000  
23 Prior Biennia (Expenditures) . . . . . \$0  
24 Future Biennia (Projected Costs) . . . . . ((~~\$24,000,000~~))  
25 \$42,000,000  
26 TOTAL . . . . . ((~~\$32,493,000~~))  
27 \$51,481,000

28 **Sec. 5053.** 2009 c 497 s 5183 (uncodified) is amended to read as  
29 follows:

30 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
31 Lower Columbia College - Health and Science Building (20081225)  
32 Appropriation:  
33 State Building Construction Account--State . . . . . ((~~\$2,969,000~~))  
34 \$2,187,000



1 Prior Biennia (Expenditures) . . . . . \$2,500,000  
 2 Future Biennia (Projected Costs) . . . . . (~~(\$36,405,000)~~)  
 3 \$37,187,000  
 4 TOTAL . . . . . \$41,874,000

5 **Sec. 5054.** 2009 c 497 s 5184 (uncodified) is amended to read as  
 6 follows:

7 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

8 Grays Harbor College - Science and Math Building (20081226)

9 Reappropriation:

10 State Building Construction Account--State . . . . . \$45,000

11 Appropriation:

12 State Building Construction Account--State . . . . . (~~(\$3,583,000)~~)  
 13 \$2,292,000

14 Prior Biennia (Expenditures) . . . . . \$231,000

15 Future Biennia (Projected Costs) . . . . . (~~(\$40,478,000)~~)  
 16 \$41,769,000

17 TOTAL . . . . . \$44,337,000

18 **Sec. 5055.** 2009 c 497 s 5217 (uncodified) is amended to read as  
 19 follows:

20 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

21 Seattle Central Community College - Seattle Maritime Academy  
 22 (30000120)

23 Appropriation:

24 State Building Construction Account--State . . . . . (~~(\$2,839,000)~~)  
 25 \$1,337,000

26 Prior Biennia (Expenditures) . . . . . \$0

27 Future Biennia (Projected Costs) . . . . . (~~(\$15,483,000)~~)  
 28 \$16,985,000

29 TOTAL . . . . . \$18,322,000

30 **Sec. 5056.** 2009 c 497 s 5218 (uncodified) is amended to read as  
 31 follows:

32 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

33 Yakima Valley Community College - Palmer Martin Building (30000121)

34 Appropriation:

1 State Building Construction Account--State . . . . . ((~~\$1,464,000~~))  
2 \$997,000  
3 Prior Biennia (Expenditures) . . . . . \$0  
4 Future Biennia (Projected Costs) . . . . . ((~~\$13,509,000~~))  
5 \$13,976,000  
6 TOTAL . . . . . \$14,973,000

7 **Sec. 5057.** 2009 c 497 s 5219 (uncodified) is amended to read as  
8 follows:

9 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

10 North Seattle Community College - Technology Building Renewal  
11 (30000129)

12 Appropriation:

13 State Building Construction Account--State . . . . . ((~~\$2,976,000~~))  
14 \$2,084,000  
15 Prior Biennia (Expenditures) . . . . . \$0  
16 Future Biennia (Projected Costs) . . . . . ((~~\$22,337,000~~))  
17 \$23,229,000  
18 TOTAL . . . . . \$25,313,000

19 **Sec. 5058.** 2009 c 497 s 5220 (uncodified) is amended to read as  
20 follows:

21 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

22 Green River Community College - Science Math and Technology  
23 Building (30000130)

24 Appropriation:

25 State Building Construction Account--State . . . . . ((~~\$1,700,000~~))  
26 \$1,315,000  
27 Prior Biennia (Expenditures) . . . . . \$0  
28 Future Biennia (Projected Costs) . . . . . ((~~\$15,545,000~~))  
29 \$15,930,000  
30 TOTAL . . . . . \$17,245,000

31 **Sec. 5059.** 2009 c 497 s 5204 (uncodified) is amended to read as  
32 follows:

33 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

34 Tacoma Community College - Health Careers Center (20082701)

1 Reappropriation:  
 2 State Building Construction Account--State . . . . . \$15,000  
 3 Appropriation:  
 4 State Building Construction Account--State . . . . . ((~~\$2,946,000~~))  
 5 \$1,811,000  
 6 Prior Biennia (Expenditures) . . . . . \$240,000  
 7 Future Biennia (Projected Costs) . . . . . ((~~\$35,565,000~~))  
 8 \$36,700,000  
 9 TOTAL . . . . . \$38,766,000

10 **Sec. 5060.** 2009 c 497 s 5205 (uncodified) is amended to read as  
 11 follows:

12 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
 13 Bellevue Community College - Health Science Building (20082702)  
 14 Appropriation:  
 15 State Building Construction Account--State . . . . . ((~~\$4,350,000~~))  
 16 \$2,910,000  
 17 Prior Biennia (Expenditures) . . . . . \$144,000  
 18 Future Biennia (Projected Costs) . . . . . ((~~\$36,506,000~~))  
 19 \$37,946,000  
 20 TOTAL . . . . . \$41,000,000

21 **\*Sec. 5061.** 2009 c 497 s 5206 (uncodified) is amended to read as  
 22 follows:

23 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
 24 **Bates Technical College - Mohler Communications Technology Center**  
 25 **(20082703)**

26 **Reappropriation:**  
 27 **State Building Construction Account--State . . . . . \$20,000**  
 28 **Appropriation:**  
 29 **State Building Construction Account--State . . . . . ((~~\$1,755,000~~))**  
 30 **\$1,192,000**  
 31 **Prior Biennia (Expenditures) . . . . . \$153,000**  
 32 **Future Biennia (Projected Costs) . . . . . ((~~\$23,398,000~~))**  
 33 **\$23,961,000**  
 34 **TOTAL . . . . . \$25,326,000**

\*Sec. 5061 was vetoed. See message at end of chapter.

1       **Sec. 5062.** 2009 c 497 s 5208 (uncodified) is amended to read as  
2 follows:

3 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

4       Clark College - Health and Advanced Technologies Building  
5 (20082705)

6 Reappropriation:

7       State Building Construction Account--State . . . . . \$14,000

8 Appropriation:

9       State Building Construction Account--State . . . . . (~~(\$2,506,000)~~)  
10 \$2,324,000

11       Prior Biennia (Expenditures) . . . . . \$236,000

12       Future Biennia (Projected Costs) . . . . . (~~(\$33,598,000)~~)  
13 \$33,780,000

14       TOTAL . . . . . \$36,354,000

15       **Sec. 5063.** 2009 c 497 s 5165 (uncodified) is amended to read as  
16 follows:

17 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

18       Lake Washington Technical College - Allied Health Building  
19 (20062697)

20 Reappropriation:

21       State Building Construction Account--State . . . . . \$900,000

22 Appropriation:

23       State Building Construction Account--State . . . . . (~~(\$25,986,000)~~)  
24 \$23,876,000

25       Prior Biennia (Expenditures) . . . . . \$1,029,000

26       Future Biennia (Projected Costs) . . . . . \$0  
27       TOTAL . . . . . (~~(\$27,915,000)~~)

28 \$25,805,000

29       **Sec. 5064.** 2009 c 497 s 5177 (uncodified) is amended to read as  
30 follows:

31 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

32       Spokane Falls Community College - Chemistry and Life Science  
33 Building (20081219)

34 Reappropriation:

1 State Building Construction Account--State . . . . . \$1,200,000  
 2 Appropriation:  
 3 State Building Construction Account--State . . . . . (~~(\$27,800,000)~~)  
 4 \$21,007,000  
 5 Prior Biennia (Expenditures) . . . . . \$1,320,000  
 6 Future Biennia (Projected Costs) . . . . . \$0  
 7 TOTAL . . . . . (~~(\$30,320,000)~~)  
 8 \$23,527,000

9 **Sec. 5065.** 2009 c 497 s 5178 (uncodified) is amended to read as  
 10 follows:

11 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

12 Spokane Community College - Technical Education Building (20081220)

13 Reappropriation:

14 State Building Construction Account--State . . . . . \$1,600,000  
 15 Appropriation:  
 16 State Building Construction Account--State . . . . . (~~(\$30,718,000)~~)  
 17 \$24,037,000  
 18 Prior Biennia (Expenditures) . . . . . \$793,000  
 19 Future Biennia (Projected Costs) . . . . . \$0  
 20 TOTAL . . . . . (~~(\$33,111,000)~~)  
 21 \$26,430,000

22 **Sec. 5066.** 2009 c 497 s 5191 (uncodified) is amended to read as  
 23 follows:

24 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

25 Spokane Falls Community College - Music Building 15 Renovation  
 26 (20081320)

27 Reappropriation:

28 State Building Construction Account--State . . . . . \$475,000  
 29 Appropriation:  
 30 State Building Construction Account--State . . . . . (~~(\$13,806,000)~~)  
 31 \$10,459,000  
 32 Prior Biennia (Expenditures) . . . . . \$667,000  
 33 Future Biennia (Projected Costs) . . . . . \$0  
 34 TOTAL . . . . . (~~(\$14,948,000)~~)  
 35 \$11,601,000



1 much debt as is needed to complete the project, not to exceed a total  
2 of \$27,000,000.

3 Reappropriation:  
4 State Building Construction Account--State . . . . . \$1,000,000

5 Appropriation:  
6 Community/Technical College Capital Projects  
7 Account--State . . . . . \$2,288,000  
8 Prior Biennia (Expenditures) . . . . . ((~~\$0~~))  
9 \$824,000  
10 Future Biennia (Projected Costs) . . . . . ((~~\$0~~))  
11 \$37,994,000  
12 TOTAL . . . . . ((~~\$1,000,000~~))  
13 \$42,106,000

14 **Sec. 5069.** 2009 c 497 s 5190 (uncodified) is amended to read as  
15 follows:

16 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
17 Spokane Community College - Building 7 Renovation (20081319)

18 Reappropriation:  
19 State Building Construction Account--State . . . . . \$986,000

20 Appropriation:  
21 State Building Construction Account--State . . . . . ((~~\$9,748,000~~))  
22 \$8,343,000  
23 Prior Biennia (Expenditures) . . . . . \$23,000  
24 Future Biennia (Projected Costs) . . . . . \$0  
25 TOTAL . . . . . ((~~\$10,757,000~~))  
26 \$9,352,000

27 **Sec. 5070.** 2009 c 497 s 5192 (uncodified) is amended to read as  
28 follows:

29 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
30 Pierce College Fort Steilacoom - Cascade Core (20081321)

31 Reappropriation:  
32 State Building Construction Account--State . . . . . \$1,200,000

33 Appropriation:  
34 State Building Construction Account--State . . . . . ((~~\$15,000,000~~))  
35 \$13,099,000

1 Community/Technical College Capital Projects

2 Account--State . . . . . \$8,500,000  
3 Subtotal Appropriation . . . . . \$21,599,000  
4 Prior Biennia (Expenditures) . . . . . \$1,042,000  
5 Future Biennia (Projected Costs) . . . . . \$0  
6 TOTAL . . . . . ((~~\$17,242,000~~))  
7 \$23,841,000

8 **Sec. 5071.** 2009 c 497 s 5168 (uncodified) is amended to read as  
9 follows:

10 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

11 North Seattle Community College - Employment Resource Center  
12 (20062851)

13 Reappropriation:

14 State Building Construction Account--State . . . . . \$700,000

15 Appropriation:

16 State Building Construction Account--State . . . . . ((~~\$5,000,000~~))  
17 \$7,676,000

18 Prior Biennia (Expenditures) . . . . . \$1,790,000

19 Future Biennia (Projected Costs) . . . . . \$0

20 TOTAL . . . . . ((~~\$7,490,000~~))  
21 \$10,166,000

22 **Sec. 5072.** 2009 c 497 s 5135 (uncodified) is amended to read as  
23 follows:

24 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

25 Clark College - East County Satellite (20041689)

26 Reappropriation:

27 Gardner-Evans Higher Education Construction

28 Account--State . . . . . ((~~\$5,000,000~~))  
29 \$4,780,000

30 Prior Biennia (Expenditures) . . . . . \$24,876,000

31 Future Biennia (Projected Costs) . . . . . \$0

32 TOTAL . . . . . ((~~\$29,876,000~~))  
33 \$29,656,000



1       **Sec. 5073.** 2009 c 497 s 5195 (uncodified) is amended to read as  
2 follows:

3 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

4       Bellevue Community College - L Building Emergency Repairs  
5 (20081850)

6 Reappropriation:

7	State Building Construction Account--State . . . . .	(( <del>\$1,460,000</del> ))
8		<u>\$387,000</u>
9	Prior Biennia (Expenditures) . . . . .	\$203,000
10	Future Biennia (Projected Costs) . . . . .	\$0
11	TOTAL . . . . .	(( <del>\$1,663,000</del> ))
12		<u>\$590,000</u>

13       **Sec. 5074.** 2009 c 497 s 5223 (uncodified) is amended to read as  
14 follows:

15 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

16       Minor Works - Preservation (30000210)

17 Appropriation:

18	<del>((State Building Construction Account--State . . . . .</del>	<del>\$15,116,000))</del>
19	<u>Community/Technical College Capital Projects</u>	
20	<u>Account--State . . . . .</u>	<u>\$16,000,000</u>
21	Prior Biennia (Expenditures) . . . . .	\$0
22	Future Biennia (Projected Costs) . . . . .	\$0
23	TOTAL . . . . .	(( <del>\$15,116,000</del> ))
24		<u>\$16,000,000</u>

25       **Sec. 5075.** 2009 c 497 s 5179 (uncodified) is amended to read as  
26 follows:

27 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

28       Everett Community College - Index Hall Replacement (20081221)

29 Reappropriation:

30	State Building Construction Account--State . . . . .	\$1,150,000
31	Appropriation:	
32	State Building Construction Account--State . . . . .	(( <del>\$2,301,000</del> ))
33		<u>\$2,157,000</u>
34	Prior Biennia (Expenditures) . . . . .	\$1,650,000

1 Future Biennia (Projected Costs) . . . . . (~~(\$40,205,000)~~)  
 2 \$40,349,000  
 3 TOTAL . . . . . \$45,306,000

4 **Sec. 5076.** 2009 c 497 s 5213 (uncodified) is amended to read as  
 5 follows:

6 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

7 Minor Works - Program (30000078)

8 Appropriation:

9 State Building Construction Account--State . . . . . \$3,858,000  
 10 Community/Technical College Capital Projects  
 11 Account--State . . . . . (~~(\$9,714,000)~~)  
 12 \$12,227,000  
 13 Subtotal Appropriation . . . . . (~~(\$13,572,000)~~)  
 14 \$16,085,000  
 15 Prior Biennia (Expenditures) . . . . . \$0  
 16 Future Biennia (Projected Costs) . . . . . \$80,000,000  
 17 TOTAL . . . . . (~~(\$93,572,000)~~)  
 18 \$96,085,000

19 **Sec. 5077.** 2009 c 497 s 5164 (uncodified) is amended to read as  
 20 follows:

21 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

22 Spokane Falls Community College - Campus Classrooms (20062696)

23 Reappropriation:

24 State Building Construction Account--State . . . . . (~~(\$1,450,000)~~)  
 25 \$883,000  
 26 Prior Biennia (Expenditures) . . . . . \$434,000  
 27 Future Biennia (Projected Costs) . . . . . \$0  
 28 TOTAL . . . . . (~~(\$1,884,000)~~)  
 29 \$1,317,000

30 NEW SECTION. **Sec. 5078.** A new section is added to 2009 c 497  
 31 (uncodified) to read as follows:

32 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

33 Construction Contingency Pool (92000007)

1 The appropriation in this section is provided solely for allocation  
2 by the state board for community and technical colleges for major  
3 construction and renovation projects that confront emergent and  
4 unavoidable costs in excess of the construction contingency and  
5 management reserves included in the project appropriation. The board  
6 shall report at least quarterly to the office of financial management  
7 and the legislative capital budget committees on requests for and  
8 allocations from the pool.

9 Appropriation:

10	State Building Construction Account--State . . . . .	\$3,076,000
11	Gardner-Evans Higher Education Construction	
12	Account--State . . . . .	\$263,000
13	Subtotal Appropriation . . . . .	\$3,339,000
14	Prior Biennia (Expenditures) . . . . .	\$0
15	Future Biennia (Projected Costs) . . . . .	\$0
16	TOTAL . . . . .	\$3,339,000

17 **Sec. 5079.** 2009 c 497 s 5224 (uncodified) is amended to read as  
18 follows:

19 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

20 Preventative Facility Maintenance and Building System Repairs  
21 (30000287)

22 Appropriation:

23	Community and Technical Colleges Capital	
24	Projects Account--State . . . . .	<del>(\$22,800,000)</del>
25		<u>\$0</u>
26	Prior Biennia (Expenditures) . . . . .	\$0
27	Future Biennia (Projected Costs) . . . . .	\$91,208,000
28	TOTAL . . . . .	<del>(\$114,008,000)</del>
29		<u>\$91,208,000</u>

30 **Sec. 5080.** 2009 c 497 s 5143 (uncodified) is amended to read as  
31 follows:

32 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

33 Centralia Community College - Science Building (20042850)

34 Reappropriation:

35	State Building Construction Account--State . . . . .	\$194,000
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1	Gardner-Evans Higher Education Construction	
2	Account--State . . . . .	(( <del>\$3,000,000</del> ))
3		<u>\$2,737,000</u>
4	Subtotal Reappropriation . . . . .	(( <del>\$3,194,000</del> ))
5		<u>\$2,931,000</u>
6	Prior Biennia (Expenditures) . . . . .	\$28,919,000
7	Future Biennia (Projected Costs) . . . . .	.\$0
8	TOTAL . . . . .	(( <del>\$32,113,000</del> ))
9		<u>\$31,850,000</u>

10       **Sec. 5081.** 2009 c 497 s 5167 (uncodified) is amended to read as  
11 follows:

12 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

13       Clover Park Technical College - Allied Health Care Facility  
14 (20062699)

15 Reappropriation:

16	State Building Construction Account--State . . . . .	(( <del>\$1,020,000</del> ))
17		<u>\$323,000</u>
18	Prior Biennia (Expenditures) . . . . .	\$1,425,000
19	Future Biennia (Projected Costs) . . . . .	.\$0
20	TOTAL . . . . .	(( <del>\$2,445,000</del> ))
21		<u>\$1,748,000</u>

(End of part)

1 PART 6

2 MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

3 Sec. 6001. 2009 c 497 s 6009 (uncodified) is amended to read as  
4 follows:

5 ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL  
6 CONTRACTS. The following agencies may enter into financial contracts,  
7 paid from any funds of an agency, appropriated or nonappropriated, for  
8 the purposes indicated and in not more than the principal amounts  
9 indicated, plus financing expenses and required reserves pursuant to  
10 chapter 39.94 RCW. When securing properties under this section,  
11 agencies shall use the most economical financial contract option  
12 available, including long-term leases, lease-purchase agreements,  
13 lease-development with option to purchase agreements or financial  
14 contracts using certificates of participation. Expenditures made by an  
15 agency for one of the indicated purposes before the issue date of the  
16 authorized financial contract and any certificates of participation  
17 therein are intended to be reimbursed from proceeds of the financial  
18 contract and any certificates of participation therein to the extent  
19 provided in the agency's financing plan approved by the state finance  
20 committee.

21 State agencies may enter into agreements with the department of  
22 general administration and the state treasurer's office to develop  
23 requests to the legislature for acquisition of properties and  
24 facilities through financial contracts. The agreements may include  
25 charges for services rendered.

26 Those noninstructional facilities of higher education institutions  
27 authorized in this section to enter into financial contracts are not  
28 eligible for state funded maintenance and operations. Instructional  
29 space that is available for regularly scheduled classes for academic  
30 transfer, basic skills, and workforce training programs may be eligible  
31 for state funded maintenance and operations.

32 (1) Department of corrections: (~~Enter into a financing contract~~  
33 ~~for up to \$17,958,000 plus financing expenses and required reserves~~  
34 ~~pursuant to chapter 39.94 RCW to purchase or build work release beds,~~  
35 ~~violation beds, or other community based re-entry facilities.)) Enter  
36 into a financing contract for up to \$12,400,000 plus financing expenses~~

1 and required reserves pursuant to chapter 39.94 RCW to move  
2 correctional industries facilities and operations from McNeil island  
3 corrections center to Stafford creek corrections center.

4 (2) Community and technical colleges:

5 (a) Enter into a financing contract on behalf of Walla Walla  
6 Community College for up to \$1,000,000 plus financing expenses and  
7 required reserves pursuant to chapter 39.94 RCW to purchase up to 40  
8 acres of land.

9 (b) Enter into a financing contract on behalf of Bellingham  
10 Technical College for up to \$1,390,000 plus financing expenses and  
11 required reserves pursuant to chapter 39.94 RCW to develop an  
12 instructional resource center.

13 (c) Enter into a financing contract on behalf of Bellingham  
14 Technical College for up to (~~(\$28,968,000)~~) \$27,000,000 plus financing  
15 expenses and required reserves pursuant to chapter 39.94 RCW to develop  
16 an instructional resource center. The cost of this financing contract  
17 shall be paid from the community and technical colleges capital  
18 projects account. This facility shall be eligible for maintenance and  
19 operations funding on the same terms as if constructed with state  
20 general obligation bonds.

21 (d) Enter into a financing contract on behalf of Edmonds Community  
22 College for up to \$5,000,000 plus financing expenses and required  
23 reserves pursuant to chapter 39.94 RCW to provide space for allied  
24 health and construction industry.

25 (e) Contingent upon the sale and purchase specified in section 5071  
26 of this act, enter into a financing contract on behalf of Spokane  
27 Community College for up to \$3,400,000 plus financing expenses and  
28 required reserves pursuant to chapter 39.94 RCW to purchase the  
29 Riverpoint One building.

30 (f) Enter into a financing contract on behalf of North Seattle  
31 Community College for up to \$8,900,000 plus financing expenses and  
32 required reserves pursuant to chapter 39.94 RCW to develop an  
33 employment resource center.

34 (g) Enter into a financing contract on behalf of Everett Community  
35 College for up to \$25,000,000 plus financing expenses and required  
36 reserves pursuant to chapter 39.94 RCW to develop a student fitness and  
37 health center.

1 (h) Enter into a financing contract on behalf of Wenatchee Valley  
2 Community College for up to \$2,700,000 plus financing expenses and  
3 required reserves pursuant to chapter 39.94 RCW to purchase a music and  
4 art center.

5 (i) Enter into a financing contract on behalf of Green River  
6 Community College for up to \$20,000,000 plus financing expenses and  
7 required reserves pursuant to chapter 39.94 RCW to develop a 40,000  
8 square foot addition to Green River Kent station.

9 (j) Enter into a financing contract on behalf of Walla Walla  
10 Community College for up to \$1,000,000 plus financing expenses and  
11 required reserves pursuant to chapter 39.94 RCW for the water and  
12 environment center.

13 (k) Enter into a financing contract pursuant to chapter 39.94 RCW  
14 on behalf of Green River Community College for up to \$26,532,000 plus  
15 financing expenses and required reserves to construct a new classrooms  
16 facility as specified in project 20061205. The cost of this financing  
17 contract shall be paid from the community and technical colleges  
18 capital projects account. This facility shall be eligible for  
19 maintenance and operations funding on the same terms as if constructed  
20 with state general obligation bonds.

21 (3) Parks and recreation commission: Enter into a financing  
22 contract for up to \$2,500,000 plus financing expenses and required  
23 reserves pursuant to chapter 39.94 RCW for the Mount Spokane lodge.  
24 The parks and recreation commission shall use energy savings  
25 performance contracting if practicable. The lodge shall be operated by  
26 a private concessionaire under a contract with the parks and recreation  
27 commission that is a qualified management contract under the applicable  
28 internal revenue service guidelines.

29 (4) Department of general administration: Enter into a financing  
30 contract for up to \$27,144,000 plus financing expenses and required  
31 reserves pursuant to chapter 39.94 RCW for the rehabilitation of the  
32 John L. O'Brien building, subject to approval of the project scope by  
33 the speaker of the house of representatives and the chief clerk of the  
34 house of representatives.

35 (5) Department of ecology: Enter into a financing contract for up  
36 to \$11,000,000 plus financing expenses and required reserves pursuant  
37 to chapter 39.94 RCW to rebuild the east wall of the department of  
38 ecology's headquarters building in Lacey, Washington.

1       (6) Washington State University: Enter into a financing contract  
2 for up to \$15,000,000 plus financing expenses and required reserve  
3 pursuant to chapter 39.94 RCW for a student information system.

4       (7) Department of social and health services: Enter into a  
5 financing contract for up to \$15,850,000 plus financing expenses and  
6 required reserves pursuant to chapter 39.94 RCW to construct or  
7 renovate specialized housing and treatment facilities for youth  
8 committed to the juvenile rehabilitation administration. The debt  
9 service is to be paid with the savings associated with closure of the  
10 Maple Lane school.

11       NEW SECTION. Sec. 6002. A new section is added to 2009 c 497  
12 (uncodified) to read as follows:

13       **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION--ENERGY SAVINGS**  
14 **PERFORMANCE CONTRACTING.** (1) The department of general administration,  
15 in fulfilling its requirement to maintain a registry of energy service  
16 contractors pursuant to RCW 39.35A.050, shall update the preapproved  
17 list of energy services companies that are qualified to provide  
18 services to public facilities in the state by June 30, 2010.

19       (2) The department of general administration must develop  
20 guidelines that are consistent with national and international energy  
21 savings performance standards for the implementation of energy savings  
22 performance contracting projects June 30, 2010.

23       \*NEW SECTION. Sec. 6003. A new section is added to 2009 c 497  
24 (uncodified) to read as follows:

25       **FOR THE OFFICE OF FINANCIAL MANAGEMENT. The office of financial**  
26 **management budget instructions, required by chapter 43.88 RCW, must**  
27 **instruct all agencies submitting budget requests for building**  
28 **renovations and improvements and operating budget requests for facility**  
29 **leases to conduct preliminary energy audits if proposed renovations or**  
30 **improvements involve building envelope, heating, ventilating, air**  
31 **conditioning, controls, and lighting. The budget instructions must**  
32 **also direct agencies to contact the department of general**  
33 **administration for assistance, if necessary.**

\*Sec. 6003 was vetoed. See message at end of chapter.

34       NEW SECTION. Sec. 6004. A new section is added to 2009 c 497  
35 (uncodified) to read as follows:



1           **DEBT AFFORDABILITY STUDY.** The office of the state treasurer shall  
2 prepare a debt affordability study by December 1, 2010, that provides  
3 an assessment of the state's current debt portfolio and an analysis of  
4 the impact of future debt issuance. The study must include but is not  
5 limited to: An overview of the state's outstanding and projected debt;  
6 the structure of the debt portfolio; the cost of existing debt; sources  
7 of funds for interest, principal, or lease payments; and the purposes  
8 for which debt instruments and financing contracts are issued. To  
9 assist with this work, the office of the state treasurer shall convene  
10 and staff a work group to include staff from the fiscal committees of  
11 the state house of representatives and state senate and the office of  
12 financial management.

13           NEW SECTION.   **Sec. 6005.** A new section is added to 2009 c 497  
14 (uncodified) to read as follows:

15           **FOR SPOKANE COMMUNITY COLLEGE.** The Washington state military  
16 department shall transfer building 100 and 5.47 acres of associated  
17 land at Geiger field to Spokane community college for the development  
18 of a Spokane aerospace technology center.

19           **Sec. 6006.** 2008 c 5 s 1 (uncodified) is amended to read as  
20 follows:

21           Pursuant to chapter 43.155 RCW, the following project loans  
22 recommended by the public works board are authorized to be made with  
23 funds appropriated from the public works assistance account, and no  
24 loan authorized in this act shall bear an interest rate greater than  
25 one-half of one percent:

26           (1) Arlington--sanitary sewer project--expand and upgrade the  
27 wastewater treatment plant and biosolids composting facility to meet  
28 new discharge limitations, produce a higher quality effluent, and  
29 accommodate future growth . . . . . \$10,000,000

30           (2) Auburn--street project--reconstruct approximately 0.3 miles of  
31 roadway with four travel lanes to bring up to current arterial and  
32 truck route standards and modify intersection to optimize efficiency  
33 and level of service . . . . . \$1,800,000

34           (3) Blaine--sanitary sewer project--construct a new wastewater  
35 treatment plant and section of outfall pipe to increase treatment

1 capacity, produce reuse quality water, and improve Puget Sound water  
2 quality for shellfish . . . . . \$10,000,000

3 (4) Bonney Lake--domestic water project--replace approximately  
4 71,000 linear feet of leaky water mains to reduce current water loss by  
5 ten percent . . . . . \$5,352,000

6 (5) Bonney Lake--sanitary sewer project--replace approximately  
7 12,000 linear feet of failing interceptor sewer pipes . . . \$4,648,000

8 (6) Buckley--sanitary sewer project--rebuild the wastewater  
9 treatment plant to provide nutrient removal and meet state and federal  
10 discharge regulations and the construction of an  
11 interceptor . . . . . \$5,000,000

12 (7) Camas--sanitary sewer project--construct improvements to the  
13 wastewater treatment facilities to provide class A biosolids at the  
14 main sewage pump station . . . . . \$10,000,000

15 (8) Clark county--road project--construct new road segments, widen  
16 roadways, improve and redesign intersections, and install and modify  
17 traffic signals necessary to improve a major interchange with two  
18 freeways . . . . . \$10,000,000

19 (9) Clark regional wastewater district--sanitary sewer project--  
20 modify existing and construct new wastewater facilities to process  
21 approximately 4.65 million gallons more of wastewater per day and  
22 ensure treatment processes continue to be in compliance with current  
23 regulations . . . . . \$8,000,000

24 (10) Coal creek utility district--sanitary sewer project--construct  
25 sewer lift station, approximately 1,250 lineal feet of gravity sewer  
26 main, and 500 feet of force main to provide public sewer to  
27 approximately 25 properties on a lake that have private septic systems  
28 that have failed or are in prefailure status . . . . . \$898,875

29 (11) College Place--domestic water project--construct two steel  
30 tanks, a booster station, approximately 6,000 feet of transmission  
31 line, 3,400 feet of water mains, three pressure reducing valves, and  
32 associated telemetry to rectify a deficiency in fire flow and standby  
33 water storage protection . . . . . \$4,710,051

34 (12) Cowlitz county public utility district No. 1--domestic water  
35 project--construction of approximately six new groundwater supply  
36 wells, 2,100 feet of raw water piping a new water treatment plant  
37 producing approximately 20 million gallons per day of potable water,

1 and approximately 4,350 feet of transmission main to connect to the  
2 system to replace current water supply that is being impacted by  
3 increasing water sediment . . . . . \$3,213,000

4 (13) Ephrata--domestic water project--replace approximately 68,000  
5 feet of failing water mains, 50,000 feet of failing water service  
6 pipes, and the resurfacing of 20 miles of overlaying roadway, including  
7 approximately 100 fire hydrants, 400 catch basins, 15 storm sewer  
8 drywells, 22,000 feet of curb and gutter, and 16,000 feet of storm  
9 sewer pipe . . . . . \$6,605,727

10 (14) Freeland water district--domestic water project--connect a new  
11 well and new reservoir to the existing system, rehabilitate the  
12 existing well, and install new equipment to increase system  
13 reliability, redundancy, and capacity. Install new chlorination  
14 equipment to improve water quality . . . . . \$347,516

15 (15) Gig Harbor--sanitary sewer project--improvements to the  
16 wastewater treatment plant including new equipment and electrical work,  
17 add a third clarifier, install ultraviolet disinfection, and extend and  
18 upsize the outfall . . . . . \$10,000,000

19 (16) Highline water district--domestic water project--construction  
20 of 11,350 feet of transmission main and looping of pipes to eliminate  
21 low pressures and fire flows and improve water quality, and create a  
22 new pressure zone to correct high pressures . . . . . \$5,390,418

23 (17) Karcher creek sewer district--sanitary sewer project--install  
24 a new sewer system, including a lift station and approximately 3,600  
25 lineal feet of sewer main, in conjunction with a road project to  
26 service approximately 17 homes that will lose their septic systems due  
27 to the road project . . . . . \$1,358,130

28 (18) Kennewick--sanitary sewer project--construct improvements to  
29 critical wastewater treatment plant processes to enhance reliability,  
30 improve energy efficiency and redundancy, as well as increase the  
31 capacity of the sludge pumping station . . . . . \$5,500,000

32 (19) Kent--street project--construct two bridges, one for the  
33 roadway over a set of railroad tracks, and one for railroad tracks over  
34 a lowered roadway. This will grade separate the tracks from the  
35 roadway to provide safe and reliable operations twenty-four hours a  
36 day . . . . . \$10,000,000

37 (20) King county--sanitary sewer project--construct 13,100 lineal

1 feet of pipe to convey approximately 9 million gallons per day of  
2 reclaimed water to reduce withdrawals of 250-acre feet per year from  
3 the Sammamish river . . . . . \$7,000,000

4 (21) La Center--sanitary sewer project--upgrade wastewater  
5 treatment plant to reduce the levels of nitrogen discharged in the  
6 effluent and approximately doubling the operation of the plant and  
7 producing class A reuse water . . . . . \$10,000,000

8 (22) Lake Forest Park water district--domestic water project--  
9 replace approximately 6,915 lineal feet of undersized and corroded  
10 water pipes to improve safety and reliability of the system by reducing  
11 pipe failures and increasing fire flow . . . . . \$917,935

12 (23) Lake Stevens--sanitary sewer project--construct a new  
13 wastewater treatment plant, 9,500 feet of interceptor line, a pump  
14 station, and an outfall pipe in partnership with Lake Stevens sewer  
15 district . . . . . \$10,000,000

16 (24) Lake Stevens sewer district--sanitary sewer project--construct  
17 a new wastewater treatment plant, 9,500 feet of interceptor line, a  
18 pump station, and an outfall pipe in partnership with the city of Lake  
19 Stevens . . . . . \$10,000,000

20 (25) Lakewood--sanitary sewer project--construct 3 pump stations,  
21 approximately 17,200 linear feet of force mains, 13,500 linear feet of  
22 gravity collector pipe line, and 320 side sewer stubs to service two  
23 neighborhoods currently served exclusively by septic  
24 systems . . . . . \$1,840,000

25 (26) LOTT alliance--sanitary sewer project--construct approximately  
26 7,400 feet of force main and replace existing pump station with new  
27 1,000 gallon per minute pump station . . . . . \$4,003,807

28 (27) Mansfield--sanitary sewer project--expand and rehabilitate  
29 wastewater treatment lagoons and effluent spray irrigation system as  
30 well as remove the discharge of groundwater from basement sump pumps to  
31 the collection system . . . . . \$235,600

32 (28) Midway sewer district--sanitary sewer project--replace  
33 approximately 16,500 lineal feet of sewer mains and 50 manholes to  
34 reduce infiltration and inflow . . . . . \$3,782,500

35 (29) Mount Vernon--sanitary sewer project--upgrade existing  
36 wastewater treatment plant, including a new pretreatment facility, 4  
37 additional clarifiers, upgrade aeration basins, installation of an  
38 ultraviolet disinfection system, and odor control system . \$10,000,000

1 (30) Newcastle--road project--reconstruct, widen, and signalize  
2 approximately 5,200 linear feet of road to 2 lanes in each direction,  
3 add left turn lanes, sidewalks, bicycle lanes, install lighting  
4 systems, replace two-lane bridge with a four-lane bridge, and install  
5 new traffic signals . . . . . \$5,000,000

6 (31) Olympia--sanitary sewer project--install approximately 6,500  
7 linear feet of sewer mains and construct a lift station to serve 63  
8 homes with failing on-site sewage systems . . . . . \$1,808,375

9 (32) Olympus Terrace sewer district--sanitary sewer project--  
10 rehabilitate approximately 9,350 linear feet of sewer trunkline,  
11 construct approximately 9,800 linear feet of high-flow storm water  
12 bypass piping for excess flow, construct approximately 4,150 linear  
13 feet of road access, and restore creek habitat . . . . . \$8,000,000

14 (33) Omak--sanitary sewer project(~~(--add 2 compost containers,~~  
15 ~~convert storage tank to sludge holding tank, and install a second~~  
16 ~~headworks screen to increase the wastewater treatment plant capacity by~~  
17 ~~35 percent)) . . . . . \$450,000~~

18 (34) Port Angeles--sanitary sewer project--construct approximately  
19 11,500 feet of sewer main, modify a storage tank, and modify the  
20 wastewater treatment plant . . . . . \$10,000,000

21 (35) Regional board of mayors--solid waste project--close landfill  
22 site by capping and sealing with a soil cap . . . . . \$859,500

23 (36) Regional board of mayors--solid waste project--construct a new  
24 solid waste transfer station, including structures and  
25 equipment . . . . . \$1,541,000

26 (37) Ronald wastewater district--sanitary sewer project--  
27 rehabilitate 2 lift stations by replacing pumps, valves, fittings,  
28 piping, odor control systems, and electrical equipment . . . . \$955,400

29 (38) Seattle--domestic water project--replace floating pumps with  
30 land-based pump station with a maximum capacity of approximately 250  
31 million gallons per day, including 8 pumps, concrete structure, a  
32 tunnel, approximately 4,000 feet of pipeline, and a standby  
33 generator. . . . . \$10,000,000

34 (39) Sedro-Woolley--sanitary sewer project--rehabilitate or replace  
35 4 interceptor segments totaling approximately 29,700 linear feet,  
36 install 2 pump stations, and upgrade the secondary clarifier in order  
37 to lift a building moratorium . . . . . \$6,023,491

1       (40) Shelton--sanitary sewer project--construct a satellite  
 2 reclamation plant with a capacity of approximately 0.4 million gallons  
 3 per day to produce class A reclaimed water, approximately 22,000 linear  
 4 feet of sewer pipelines, and approximately 25,000 linear feet of  
 5 reclaimed water force main . . . . . \$2,079,360  
 6       (41) Shelton--sanitary sewer project--replace approximately 38,480  
 7 linear feet of mainline sewers to reduce inflow and  
 8 infiltration . . . . . \$5,737,500  
 9       (42) Skagit county sewer district No. 2--sanitary sewer project--  
 10 upgrade wastewater treatment plant to a water reclamation facility to  
 11 provide class A reclaimed water with a capacity of approximately 0.35  
 12 million gallons per day . . . . . \$10,000,000  
 13       (43) Snohomish--sanitary sewer project--construct approximately  
 14 1,900 feet of sewer pipe, a new pump station with a capacity of  
 15 approximately 8,000 gallons per minute, and approximately 4,300 feet of  
 16 force main to reduce overflows . . . . . \$2,000,000  
 17       (44) Snohomish--sanitary sewer project(~~upgrade existing~~  
 18 ~~wastewater treatment plant including a new influent flow structure,~~  
 19 ~~screens, aerators, effluent filtration, ultraviolet disinfection,~~  
 20 ~~effluent pump station, improvements to the existing lagoons, and~~  
 21 ~~electrical improvements)) . . . . . \$4,500,000  
 22       (45) Snohomish county--road project--construct a new, approximately  
 23 two-mile, two-lane truck route around the city of Granite Falls,  
 24 including 3 roundabouts to improve safety and air quality in the  
 25 downtown area . . . . . \$10,000,000  
 26       (46) Southwest Suburban sewer district--sanitary sewer project--  
 27 replace and/or slipline approximately 5,470 feet of trunk/interceptor  
 28 sewer main and construct a new lift station to reduce  
 29 overflows . . . . . \$3,268,250  
 30       (47) Tacoma--domestic water project--replace 3 open-topped concrete  
 31 reservoirs with 2 enclosed concrete reservoirs of approximately 33  
 32 million gallons each and related piping to comply with the safe  
 33 drinking water act and a bilateral compliance agreement . . \$10,000,000  
 34       (48) Tekoa--sanitary sewer system--reconstruct approximately 1,000  
 35 feet of failing sewer line and manholes to reduce significant  
 36 groundwater infiltration . . . . . \$135,115  
 37       (49) Three rivers regional wastewater authority--sanitary sewer~~

1 project--construct 2 clarifiers and associated piping to replace 2  
 2 failed clarifiers at the wastewater plant . . . . . \$6,630,750  
 3 (50) Washougal--sanitary sewer project--construct a new wastewater  
 4 treatment plant headworks, including a fine screen, grit removal, and  
 5 replace approximately 150 linear feet of gravity sewer, and make  
 6 improvements to the lagoons, including 450 linear feet of piping,  
 7 modify overflow structures, and a new pump . . . . . \$3,100,000  
 8 (51) Yakima--domestic water project--develop a new, approximately  
 9 3,000 gallon per minute, domestic water well, including drilling,  
 10 placement of casing, a new pump house, and connection to the existing  
 11 water distribution system in order to augment the water supply during  
 12 drought conditions . . . . . \$2,257,200  
 13 (52) Yakima--street project--construct 2 underpasses and  
 14 reconstruct 3 lanes on each roadway under a railroad mainline to  
 15 accommodate additional rail and reduce traffic and emergency response  
 16 delays and air pollution . . . . . \$3,000,000

17 **Sec. 6007.** RCW 43.155.050 and 2009 c 564 s 940 are each amended to  
 18 read as follows:

19 (1) The public works assistance account is hereby established in  
 20 the state treasury. Money may be placed in the public works assistance  
 21 account from the proceeds of bonds when authorized by the legislature  
 22 or from any other lawful source. Money in the public works assistance  
 23 account shall be used to make loans and to give financial guarantees to  
 24 local governments for public works projects. Moneys in the account may  
 25 also be appropriated to provide for state match requirements under  
 26 federal law for projects and activities conducted and financed by the  
 27 board under the drinking water assistance account. Not more than  
 28 fifteen percent of the biennial capital budget appropriation to the  
 29 public works board from this account may be expended or obligated for  
 30 preconstruction loans, emergency loans, or loans for capital facility  
 31 planning under this chapter; of this amount, not more than ten percent  
 32 of the biennial capital budget appropriation may be expended for  
 33 emergency loans and not more than one percent of the biennial capital  
 34 budget appropriation may be expended for capital facility planning  
 35 loans. During the 2009-2011 fiscal biennium, the legislature may  
 36 transfer from the public works assistance account to the general fund  
 37 and the city-county assistance account such amounts as reflect the

1 excess fund balance of the account. During the 2009-2011 fiscal  
2 biennium, sums in the public works assistance account may be used for  
3 the water pollution control revolving fund program match in section  
4 3013 of this act.

5 (2) The job development fund is hereby established in the state  
6 treasury. Moneys in the job development fund may be spent only after  
7 appropriation.

8 **Sec. 6008.** RCW 28B.20.725 and 1969 ex.s. c 223 s 28B.20.725 are  
9 each amended to read as follows:

10 The board is hereby empowered:

11 (1) To reserve the right to issue bonds later on a parity with any  
12 bonds being issued;

13 (2) To authorize the investing of moneys in the bond retirement  
14 fund and any reserve account therein;

15 (3) To authorize the transfer of money from the University of  
16 Washington building account to the bond retirement fund when necessary  
17 to prevent a default in the payments required to be made out of such  
18 fund;

19 (4) To create a reserve account or accounts in the bond retirement  
20 fund to secure the payment of the principal of and interest on any  
21 bonds;

22 (5) To authorize the transfer to the University of Washington  
23 building account of any money on deposit in the bond retirement fund in  
24 excess of debt service for a period of three years from the date of  
25 such transfer on all outstanding bonds payable out of such fund.  
26 However, during the 2009-2011 fiscal biennium, the legislature may  
27 transfer to the University of Washington building account moneys that  
28 are in excess of the debt service due within one year of the date of  
29 transfer on all outstanding bonds payable out of the bond retirement  
30 fund.

31 **Sec. 6009.** RCW 28B.30.750 and 1969 ex.s. c 223 s 28B.30.750 are  
32 each amended to read as follows:

33 The board is hereby empowered:

34 (1) To reserve the right to issue bonds later on a parity with any  
35 bonds being issued;



1 (2) To authorize the investing of moneys in the bond retirement  
2 fund and any reserve account therein;

3 (3) To authorize the transfer of money from the Washington State  
4 University building account to the bond retirement fund when necessary  
5 to prevent a default in the payments required to be made out of such  
6 fund;

7 (4) To create a reserve account or accounts in the bond retirement  
8 fund to secure the payment of the principal of and interest on any  
9 bonds;

10 (5) To authorize the transfer to the Washington State University  
11 building account of any money on deposit in the bond retirement fund in  
12 excess of debt service for a period of three years from the date of  
13 such transfer on all outstanding bonds payable out of such fund.  
14 However, during the 2009-2011 fiscal biennium, the legislature may  
15 transfer to the Washington State University building account moneys  
16 that are in excess of the debt service due within one year of the date  
17 of transfer on all outstanding bonds payable out of the bond retirement  
18 fund.

19 NEW SECTION. Sec. 6010. A new section is added to 2009 c 497  
20 (uncodified) to read as follows:

21 **FOR THE STATE TREASURER--TRANSFERS**

22 University of Washington bond retirement fund:

23 For transfer to the University of Washington  
24 building account for fiscal year 2010 . . . . . \$14,000,000

25 **Sec. 6011.** RCW 43.160.080 and 2008 c 327 s 11 are each amended to  
26 read as follows:

27 There shall be a fund in the state treasury known as the public  
28 facilities construction loan revolving account, which shall consist of  
29 all moneys collected under this chapter and any moneys appropriated to  
30 it by law. Disbursements from the revolving account shall be on  
31 authorization of the board. In order to maintain an effective  
32 expenditure and revenue control, the public facilities construction  
33 loan revolving account shall be subject in all respects to chapter  
34 43.88 RCW. During the 2009-2011 biennium, sums in the public  
35 facilities construction loan revolving account may be used for

1 community economic revitalization board export assistance grants and  
2 loans in section 1018 of this act and for matching funds for the  
3 federal energy regional innovation cluster in section 1017 of this act.

4 \*Sec. 6012. 2009 c 497 s 6004 (uncodified) is amended to read as  
5 follows:

6 (1) ~~The office of financial management may ((authorize a)) transfer~~  
7 ~~((of)) appropriation authority provided for a capital project that is~~  
8 ~~in excess of the amount required for the completion of ((such)) the~~  
9 ~~project ((to another capital project for which the appropriation is~~  
10 ~~insufficient. No such transfer may be used to expand the capacity of~~  
11 ~~any facility beyond that intended in making the appropriation. Such~~  
12 ~~transfers may be effected only between capital appropriations to a~~  
13 ~~specific department, commission, agency, or institution of higher~~  
14 ~~education and only between capital projects that are funded from the~~  
15 ~~same fund or account. No transfers may occur between projects to local~~  
16 ~~government agencies except where the grants are provided within a~~  
17 ~~single omnibus appropriation and where such transfers are specifically~~  
18 ~~authorized by the implementing statutes that govern the grants.~~

19 ~~(2) The office of financial management may find that an amount is~~  
20 ~~in excess of the amount required for the completion of a project only~~  
21 ~~if: (a) The project as defined in the notes to the budget document is~~  
22 ~~substantially complete and there are funds remaining; or (b) bids have~~  
23 ~~been let on a project and it appears to a substantial certainty that~~  
24 ~~the project as defined in the notes to the budget document can be~~  
25 ~~completed within the biennium for less than the amount appropriated in~~  
26 ~~this act.~~

27 ~~(3))~~, based on the authorized scope, to the risk pool in section  
28 1021.

29 (2) For the purposes of this section, the intent is that each  
30 project be defined as proposed to the legislature in the governor's  
31 budget document, unless it clearly appears from the legislative history  
32 that the legislature intended to define the scope of a project in a  
33 different way.

34 ~~((4) Transfers of funds to an agency's infrastructure savings~~  
35 ~~appropriation are subject to review and approval by the office of~~  
36 ~~financial management. Expenditures from an infrastructure savings~~  
37 ~~appropriation are limited to projects that have a primary purpose to~~

1 ~~correct infrastructure deficiencies or conditions that: (a) Adversely~~  
2 ~~affect the ability to utilize the infrastructure for its current~~  
3 ~~programmatic use; (b) reduce the life expectancy of the infrastructure;~~  
4 ~~or (c) increase the operating costs of the infrastructure for its~~  
5 ~~current programmatic use. Eligible infrastructure projects may include~~  
6 ~~structures and surface improvements, site amenities, utility systems~~  
7 ~~outside building footprints and natural environmental changes or~~  
8 ~~requirements as part of an environmental regulation, a declaration of~~  
9 ~~emergency for an infrastructure issue in conformance with RCW~~  
10 ~~43.88.250, or infrastructure planning as part of a facility master~~  
11 ~~plan.~~

12 ~~(5) A report of any transfer effected under this section, except~~  
13 ~~emergency projects or any transfer under \$250,000, shall be filed with~~  
14 ~~the legislative fiscal committees of the senate and house of~~  
15 ~~representatives by the office of financial management at least thirty~~  
16 ~~days before the date the transfer is effected. The office of financial~~  
17 ~~management shall report all emergency or smaller transfers within~~  
18 ~~thirty days from the date of transfer.))~~

19 (3) The office of financial management shall not allot any portion  
20 of a capital budget appropriation for: (a) Contingencies above the  
21 amount required for completion of a project as described in budget  
22 documents submitted as part of the governor's capital budget request or  
23 consistent with legislative history; (b) proposed alternates submitted  
24 in bid documents if agencies cannot document a programmatic need and an  
25 operational budget savings resulting from the completion of the  
26 alternate project component that would pay for the cost of the  
27 alternate within eight years; or (c) for any equipment costs or project  
28 scope beyond what was described in the budget documents submitted as  
29 part of the governor's capital budget request.

30 (4) The office of financial management shall submit a monthly  
31 report of approved allotments, subject to this section, by project.  
32 The report shall include the accepted base bid and any approved  
33 alternates with the analysis demonstrating sufficient operational  
34 budget savings.

\*Sec. 6012 was vetoed. See message at end of chapter.

35 **Sec. 6013.** RCW 90.71.370 and 2009 c 479 s 74 are each amended to  
36 read as follows:

37 (1) By December 1, 2008, and by September 1st of each even-numbered

1 year beginning in 2010, the council shall provide to the governor and  
2 the appropriate fiscal committees of the senate and house of  
3 representatives its recommendations for the funding necessary to  
4 implement the action agenda in the succeeding biennium. The  
5 recommendations shall:

6 (a) Identify the funding needed by action agenda element;

7 (b) Address funding responsibilities among local, state, and  
8 federal governments, as well as nongovernmental funding; and

9 (c) Address funding needed to support the work of the partnership,  
10 the panel, the ecosystem work group, and entities assisting in  
11 coordinating local efforts to implement the plan.

12 (2) In the 2008 report required under subsection (1) of this  
13 section, the council shall include recommendations for projected  
14 funding needed through 2020 to implement the action agenda; funding  
15 needs for science panel staff; identify methods to secure stable and  
16 sufficient funding to meet these needs; and include proposals for new  
17 sources of funding to be dedicated to Puget Sound protection and  
18 recovery. In preparing the science panel staffing proposal, the  
19 council shall consult with the panel.

20 (3) By November 1st of each odd-numbered year beginning in 2009,  
21 the council shall produce a state of the Sound report that includes, at  
22 a minimum:

23 (a) An assessment of progress by state and nonstate entities in  
24 implementing the action agenda, including accomplishments in the use of  
25 state funds for action agenda implementation;

26 (b) A description of actions by implementing entities that are  
27 inconsistent with the action agenda and steps taken to remedy the  
28 inconsistency;

29 (c) The comments by the panel on progress in implementing the plan,  
30 as well as findings arising from the assessment and monitoring program;

31 (d) A review of citizen concerns provided to the partnership and  
32 the disposition of those concerns;

33 (e) A review of the expenditures of funds to state agencies for the  
34 implementation of programs affecting the protection and recovery of  
35 Puget Sound, and an assessment of whether the use of the funds is  
36 consistent with the action agenda; and

37 (f) An identification of all funds provided to the partnership, and

1 recommendations as to how future state expenditures for all entities,  
2 including the partnership, could better match the priorities of the  
3 action agenda.

4 (4)(a) The council shall review state programs that fund facilities  
5 and activities that may contribute to action agenda implementation. By  
6 November 1, 2009, the council shall provide initial recommendations  
7 regarding program changes to the governor and appropriate fiscal and  
8 policy committees of the senate and house of representatives. By  
9 November 1, 2010, the council shall provide final recommendations  
10 regarding program changes, including proposed legislation to implement  
11 the recommendation, to the governor and appropriate fiscal and policy  
12 committees of the senate and house of representatives.

13 (b) The review in this subsection shall be conducted with the  
14 active assistance and collaboration of the agencies administering these  
15 programs, and in consultation with local governments and other entities  
16 receiving funding from these programs:

17 (i) Water pollution control facilities financing, chapter 70.146  
18 RCW;

19 (ii) The water pollution control revolving fund, chapter 90.50A  
20 RCW;

21 (iii) The public works assistance account, chapter 43.155 RCW;

22 (iv) The aquatic lands enhancement account, RCW 79.105.150;

23 (v) The state toxics control account and local toxics control  
24 account and clean-up program, chapter 70.105D RCW;

25 (vi) The acquisition of habitat conservation and outdoor recreation  
26 land, chapter 79A.15 RCW;

27 (vii) The salmon recovery funding board, RCW 77.85.110 through  
28 77.85.150;

29 (viii) The community economic revitalization board, chapter 43.160  
30 RCW;

31 (ix) Other state financial assistance to water quality-related  
32 projects and activities; and

33 (x) Water quality financial assistance from federal programs  
34 administered through state programs or provided directly to local  
35 governments in the Puget Sound basin.

36 (c) The council's review shall include but not be limited to:

37 (i) Determining the level of funding and types of projects and

1 activities funded through the programs that contribute to  
2 implementation of the action agenda;

3 (ii) Evaluating the procedures and criteria in each program for  
4 determining which projects and activities to fund, and their  
5 relationship to the goals and priorities of the action agenda;

6 (iii) Assessing methods for ensuring that the goals and priorities  
7 of the action agenda are given priority when program funding decisions  
8 are made regarding water quality-related projects and activities in the  
9 Puget Sound basin and habitat-related projects and activities in the  
10 Puget Sound basin;

11 (iv) Modifying funding criteria so that projects, programs, and  
12 activities that are inconsistent with the action agenda are ineligible  
13 for funding;

14 (v) Assessing ways to incorporate a strategic funding approach for  
15 the action agenda within the outcome-focused performance measures  
16 required by RCW 43.41.270 in administering natural resource-related and  
17 environmentally based grant and loan programs.

18 (5) During the 2009-11 fiscal biennium, the council's review must  
19 result in a ranking of projects affecting the protection and recovery  
20 of the Puget Sound basin that are proposed in the governor's capital  
21 budget submitted under RCW 43.88.060. The ranking shall include  
22 recommendations for reallocation of total requested funds for Puget  
23 Sound basin projects to achieve the greatest positive outcomes for  
24 protection and recovery of Puget Sound and shall be submitted to the  
25 appropriate fiscal committees of the legislature no later than February  
26 1, 2011.

27 **Sec. 6014.** RCW 39.10.210 and 2007 c 494 s 101 are each amended to  
28 read as follows:

29 Unless the context clearly requires otherwise, the definitions in  
30 this section apply throughout this chapter.

31 (1) "Alternative public works contracting procedure" means the  
32 design-build, general contractor/construction manager, and job order  
33 contracting procedures authorized in RCW 39.10.300, 39.10.340, and  
34 39.10.420, respectively.

35 (2) "Board" means the capital projects advisory review board.

36 (3) "Committee" means the project review committee.

1 (4) "Design-build procedure" means a contract between a public body  
2 and another party in which the party agrees to both design and build  
3 the facility, portion of the facility, or other item specified in the  
4 contract.

5 (5) "Total contract cost" means the fixed amount for the detailed  
6 specified general conditions work, the negotiated maximum allowable  
7 construction cost, and the percent fee on the negotiated maximum  
8 allowable construction cost.

9 (6) "General contractor/construction manager" means a firm with  
10 which a public body has selected and negotiated a maximum allowable  
11 construction cost to provide services during the design phase and to  
12 act as construction manager and general contractor during the  
13 construction phase.

14 (7) "Job order contract" means a contract in which the contractor  
15 agrees to a fixed period, indefinite quantity delivery order contract  
16 which provides for the use of negotiated, definitive work orders for  
17 public works as defined in RCW 39.04.010.

18 (8) "Job order contractor" means a registered or licensed  
19 contractor awarded a job order contract.

20 (9) "Maximum allowable construction cost" means the maximum cost of  
21 the work to construct the project including a percentage for risk  
22 contingency, negotiated support services, and approved change orders.

23 (10) "Negotiated support services" means items a general contractor  
24 would normally manage or perform on a construction project including,  
25 but not limited to surveying, hoisting, safety enforcement, provision  
26 of toilet facilities, temporary heat, cleanup, and trash removal.

27 (11) "Percent fee" means the percentage amount to be earned by the  
28 general contractor/construction manager as overhead and profit.

29 (12) "Public body" means any general or special purpose government,  
30 including but not limited to state agencies, institutions of higher  
31 education, counties, cities, towns, ports, school districts, and  
32 special purpose districts, provided that for the 2009-2011 fiscal  
33 biennium, the definition of public body for this chapter does not  
34 include public bodies funded in section 1012 of this act if alternative  
35 requirements or procedures of federal law or regulations are  
36 authorized.

37 (13) "Certified public body" means a public body certified to use

1 design-build or general contractor/construction manager contracting  
2 procedures, or both, under RCW 39.10.270.

3 (14) "Public works project" means any work for a public body within  
4 the definition of "public work" in RCW 39.04.010.

5 (15) "Total project cost" means the cost of the project less  
6 financing and land acquisition costs.

7 (16) "Unit price book" means a book containing specific prices,  
8 based on generally accepted industry standards and information, where  
9 available, for various items of work to be performed by the job order  
10 contractor. The prices may include: All the costs of materials;  
11 labor; equipment; overhead, including bonding costs; and profit for  
12 performing the items of work. The unit prices for labor must be at the  
13 rates in effect at the time the individual work order is issued.

14 (17) "Work order" means an order issued for a definite scope of  
15 work to be performed pursuant to a job order contract.

16 **Sec. 6015.** RCW 39.94.040 and 2003 c 6 s 2 are each amended to read  
17 as follows:

18 (1) Except as provided in RCW 28B.10.022, the state may not enter  
19 into any financing contract for itself if the aggregate principal  
20 amount payable thereunder is greater than an amount to be established  
21 from time to time by the state finance committee or participate in a  
22 program providing for the issuance of certificates of participation,  
23 including any contract for credit enhancement, without the prior  
24 approval of the state finance committee. Except as provided in RCW  
25 28B.10.022, the state finance committee shall approve the form of all  
26 financing contracts or a standard format for all financing contracts.  
27 The state finance committee also may:

28 (a) Consolidate existing or potential financing contracts into  
29 master financing contracts with respect to property acquired by one or  
30 more agencies, departments, instrumentalities of the state, the state  
31 board for community and technical colleges, or a state institution of  
32 higher learning; or to be acquired by an other agency;

33 (b) Approve programs providing for the issuance of certificates of  
34 participation in master financing contracts for the state or for other  
35 agencies;

36 (c) Enter into agreements with trustees relating to master  
37 financing contracts; and



1 (d) Make appropriate rules for the performance of its duties under  
2 this chapter.

3 (2) In the performance of its duties under this chapter, the state  
4 finance committee may consult with representatives from the department  
5 of general administration, the office of financial management, and the  
6 department of information services.

7 (3) With the approval of the state finance committee, the state  
8 also may enter into agreements with trustees relating to financing  
9 contracts and the issuance of certificates of participation.

10 (4) Except for financing contracts for real property used for the  
11 purposes described under chapter 28B.140 RCW, the state may not enter  
12 into any financing contract for real property of the state without  
13 prior approval of the legislature. For the purposes of this  
14 requirement, a financing contract must be treated as used for real  
15 property if it is being entered into by the state for the acquisition  
16 of land; the acquisition of an existing building; the construction of  
17 a new building; or a major remodeling, renovation, rehabilitation, or  
18 rebuilding of an existing building. Prior approval of the legislature  
19 is not required under this chapter for a financing contract entered  
20 into by the state under this chapter for energy conservation  
21 improvements to existing buildings where such improvements include:  
22 (a) Fixtures and equipment that are not part of a major remodeling,  
23 renovation, rehabilitation, or rebuilding of the building, or (b) other  
24 improvements to the building that are being performed for the primary  
25 purpose of energy conservation. Such energy conservation improvements  
26 must be determined eligible for financing under this chapter by the  
27 office of financial management in accordance with financing guidelines  
28 established by the state treasurer, and are to be treated as personal  
29 property for the purposes of this chapter.

30 (5) The state may not enter into any financing contract on behalf  
31 of an other agency without the approval of such a financing contract by  
32 the governing body of the other agency.

33 **NEW SECTION. Sec. 6016.** The following acts or parts of acts are  
34 each repealed:

35 (1) 2009 c 497 s 1089 (uncodified);

36 (2) 2009 c 497 s 2030 (uncodified);

37 (3) 2009 c 497 s 2079 (uncodified);

- 1 (4) 2009 c 497 s 3098 (uncodified);
- 2 (5) 2009 c 497 s 4009 (uncodified);
- 3 (6) 2009 c 497 s 5043 (uncodified);
- 4 (7) 2009 c 497 s 5059 (uncodified);
- 5 (8) 2009 c 497 s 5072 (uncodified);
- 6 (9) 2009 c 497 s 5084 (uncodified);
- 7 (10) 2009 c 497 s 5098 (uncodified);
- 8 (11) 2009 c 497 s 5112 (uncodified); and
- 9 (12) RCW 39.86.200 (Ratification) and 1987 c 297 s 11.

10 NEW SECTION. **Sec. 6017.** If any provision of this act or its  
11 application to any person or circumstance is held invalid, the  
12 remainder of the act or the application of the provision to other  
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 6018.** This act is necessary for the immediate  
15 preservation of the public peace, health, or safety, or support of the  
16 state government and its existing public institutions, and takes effect  
17 immediately.

(End of bill)

INDEX	PAGE #
CENTRAL WASHINGTON UNIVERSITY . . . . .	84
COMMUNITY AND TECHNICAL COLLEGE SYSTEM . . . . .	92, 93
CRIMINAL JUSTICE TRAINING COMMISSION . . . . .	35
DEBT AFFORDABILITY STUDY . . . . .	112
DEPARTMENT OF COMMERCE . . . . .	18
DEPARTMENT OF CORRECTIONS . . . . .	39
DEPARTMENT OF ECOLOGY . . . . .	43
DEPARTMENT OF FISH AND WILDLIFE . . . . .	56
DEPARTMENT OF GENERAL ADMINISTRATION . . . . .	29
ENERGY SAVINGS PERFORMANCE CONTRACTING . . . . .	111
DEPARTMENT OF HEALTH . . . . .	37
DEPARTMENT OF LABOR AND INDUSTRIES . . . . .	36
DEPARTMENT OF NATURAL RESOURCES . . . . .	60, 61
DEPARTMENT OF SOCIAL AND HEALTH SERVICES . . . . .	36
DEPARTMENT OF VETERANS AFFAIRS . . . . .	38
EASTERN WASHINGTON UNIVERSITY . . . . .	83
MILITARY DEPARTMENT . . . . .	32
OFFICE OF FINANCIAL MANAGEMENT . . . . .	23, 111
RECREATION AND CONSERVATION FUNDING BOARD . . . . .	55
SPOKANE COMMUNITY COLLEGE . . . . .	112
STATE PARKS AND RECREATION COMMISSION . . . . .	51
SUPERINTENDENT OF PUBLIC INSTRUCTION . . . . .	70
THE EVERGREEN STATE COLLEGE . . . . .	85
UNIVERSITY OF WASHINGTON . . . . .	75
WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS . . . . .	75
WASHINGTON STATE DEPARTMENT OF TRANSPORTATION . . . . .	68
WASHINGTON STATE HISTORICAL SOCIETY . . . . .	88
WASHINGTON STATE PATROL . . . . .	69
WASHINGTON STATE UNIVERSITY . . . . .	80, 81
WESTERN WASHINGTON UNIVERSITY . . . . .	87

Passed by the House April 12, 2010.

Passed by the Senate April 12, 2010.

Approved by the Governor May 4, 2010, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 5, 2010.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Sections 5061, 6003 and 6012, Engrossed Substitute House Bill 2836 entitled:

"AN ACT Relating to the capital budget."

**Section 5061, page 98, Community and Technical College System, Bates Technical College Mohler Communications Technology Center**

Design funding for the Mohler Communications Technology Center at Bates Technical College was reduced by \$563,000 from the budget approved by the 2009 Legislature. This reduced budget amount would not be sufficient to pay for currently executed contracts, and the costs cannot be deferred until the next biennium. Therefore, I am vetoing Section 5061.

**Section 6003, page 111, Office of Financial Management Budget Instructions**

With this proviso, the Office of Financial Management must require that preliminary energy audits be conducted on project requests that involve significant renovations or improvements in owned or leased facilities. Reducing energy consumption is a high priority, but requiring energy audits before funding decisions are made will be burdensome and costly. I am directing the Office of Financial Management to develop instructions to state agencies that will serve the goal of reducing energy costs without requiring formal audits for every project. Therefore, I am vetoing Section 6003.

**Section 6012, page 121-122, Project Transfer Authority**

This proviso eliminates existing authorization for the Office of Financial Management to approve the transfer of funds from one capital project to another within the same state agency. It also places limitations on approving spending plans for construction contingencies, bid alternates, and equipment costs for capital budget projects already approved by the Legislature. These limitations are too stringent for state agencies and may cause unintended cost increases and schedule delays. I am directing the Office of Financial Management to continue to scrutinize capital project spending plans to identify additional savings that can be directed to new projects in the 2011-13 Biennium. Therefore, I am vetoing Section 6012.

For these reasons, I have vetoed Sections 5061, 6003 and 6012 of Engrossed Substitute House Bill 2836.

With the exception of Sections 5061, 6003 and 6012, Engrossed Substitute House Bill 2836 is approved."