

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1244

61st Legislature
2009 Regular Session

Passed by the House April 24, 2009
Yeas 54 Nays 42

Speaker of the House of Representatives

Passed by the Senate April 25, 2009
Yeas 29 Nays 20

President of the Senate

Approved

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 1244** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1244

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

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

READ FIRST TIME 04/10/09.

1 AN ACT Relating to fiscal matters; amending RCW 2.68.020,
2 28A.160.130, 28B.105.110, 35.104.060, 38.52.106, 41.48.060, 41.50.110,
3 43.03.310, 43.08.190, 43.09.260, 43.09.282, 43.09.475, 43.10.180,
4 43.17.390, 43.19.501, 43.21A.667, 43.79.201, 43.79.460, 43.79.480,
5 43.83B.360, 43.155.050, 43.215.125, 43.325.040, 43.330.250, 46.66.080,
6 50.16.010, 66.08.170, 67.70.190, 70.93.180, 71.24.310, 74.08A.340,
7 74.13.621, 77.12.820, 77.32.010, 79.64.040, 79A.25.080, 79.105.150,
8 80.36.430, 86.26.007, 2.68.020, 28B.50.837, 28B.67.030, 28B.76.565,
9 28B.76.610, 28B.105.110, 41.45.230, 43.30.305, and 71.24.310; amending
10 2009 c 4 ss 101, 110, 112, 118, 124, 128, 129, 135, 140, 143, 145, 148,
11 151, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 213, 214,
12 215, 216, 217, 219, 221, 222, 223, 225, 301, 302, 303, 307, 308, 311,
13 402, 501, 502, 504, 505, 506, 603, 606, 609, 610, 613, 614, 615, 616,
14 801, and 802 (uncodified); amending 2008 c 329 ss 151, 201, 223, 504,
15 505, 506, 508, 509, 510, 512, 516, 701, 702, 703, 704, 705, 706, 707,
16 and 714 (uncodified); amending 2007 c 522 ss 712, 804, 802, and 803
17 (uncodified); reenacting and amending RCW 43.135.045, 46.09.170,
18 67.40.040, and 70.105D.070; adding a new section to chapter 43.70 RCW;
19 adding new sections to 2007 c 522 (uncodified); creating new sections;
20 making appropriations; providing expiration dates; and declaring an
21 emergency.

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

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

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

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

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

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

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

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

25 **PART I**

26 **GENERAL GOVERNMENT**

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

28	General Fund--State Appropriation (FY 2010)	\$33,500,000
29	General Fund--State Appropriation (FY 2011)	\$33,379,000
30	TOTAL APPROPRIATION	\$66,879,000

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

32	General Fund--State Appropriation (FY 2010)	\$24,957,000
33	General Fund--State Appropriation (FY 2011)	\$27,182,000
34	TOTAL APPROPRIATION	\$52,139,000

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

2 **COMMITTEE**

3 General Fund--State Appropriation (FY 2010) \$2,874,000
4 General Fund--State Appropriation (FY 2011) \$2,884,000
5 TOTAL APPROPRIATION \$5,758,000

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

8 (1) Notwithstanding the provisions of this section, the joint
9 legislative audit and review committee may adjust the due dates for
10 projects included on the committee's 2009-11 work plan as necessary to
11 efficiently manage workload.

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

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

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

1 and mental health and chemical dependency treatment providers shall
2 provide the committee with information necessary for the study.

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

7 (a) Revenue sources for state recreational boating programs;

8 (b) Expenditures for state boating programs;

9 (c) Methods of administrating state recreational boating programs,
10 including the roles of both state and local government entities; and

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

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

14 (6) Within amounts appropriated in this section, the joint
15 legislative audit and review committee shall implement Engrossed
16 Substitute House Bill No. 2338 (growth management hearings boards).

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

31 (8) Within the amount appropriated in this section, the joint
32 legislative audit and review committee shall conduct a study of the
33 relationship between the cost of school districts and their enrollment
34 size. The study shall be completed by June 2010 and shall include:

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

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

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

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

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

General Fund--State Appropriation (FY 2010)	\$1,748,000
General Fund--State Appropriation (FY 2011)	\$1,927,000
TOTAL APPROPRIATION	\$3,675,000

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

General Fund--State Appropriation (FY 2010)	\$200,000
General Fund--State Appropriation (FY 2011)	\$25,000
Health Care Authority Administrative Account--State Appropriation	\$735,000
Department of Retirement Systems Expense Account--State Appropriation	\$3,309,000
TOTAL APPROPRIATION	\$4,269,000

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

(1) \$25,000 of the department of retirement systems--state appropriation is provided solely for the continued study of local government liabilities for postretirement medical benefits for members of plan 1 of the law enforcement officers' and firefighters' retirement system.

(2) \$51,000 of the department of retirement systems expense account--state appropriation is provided solely for the state actuary to contract with the Washington state institute for public policy for a study of the disability benefits provided to the plan 2 and plan 3 members of the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system. Among the options the institute shall examine include statutory changes to

1 TOTAL APPROPRIATION \$17,170,000

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

3 General Fund--State Appropriation (FY 2010) \$4,610,000

4 General Fund--State Appropriation (FY 2011) \$5,029,000

5 TOTAL APPROPRIATION \$9,639,000

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

7 General Fund--State Appropriation (FY 2011) \$610,000

8 NEW SECTION. **Sec. 109. LEGISLATIVE AGENCIES.** In order to achieve
9 operating efficiencies within the financial resources available to the
10 legislative branch, the executive rules committee of the house of
11 representatives and the facilities and operations committee of the
12 senate by joint action may transfer funds among the house of
13 representatives, senate, joint legislative audit and review committee,
14 legislative evaluation and accountability program committee,
15 legislative transportation committee, office of the state actuary,
16 joint legislative systems committee, statute law committee, and
17 redistricting commission.

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

19 General Fund--State Appropriation (FY 2010) \$6,912,000

20 General Fund--State Appropriation (FY 2011) \$6,948,000

21 TOTAL APPROPRIATION \$13,860,000

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

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

31 General Fund--State Appropriation (FY 2010) \$1,924,000

32 General Fund--State Appropriation (FY 2011) \$1,922,000

33 TOTAL APPROPRIATION \$3,846,000

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

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

10	General Fund--State Appropriation (FY 2010)	\$15,793,000
11	General Fund--State Appropriation (FY 2011)	\$15,895,000
12	TOTAL APPROPRIATION	\$31,688,000

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

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

22	General Fund--State Appropriation (FY 2010)	\$1,032,000
23	General Fund--State Appropriation (FY 2011)	\$1,082,000
24	TOTAL APPROPRIATION	\$2,114,000

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

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

34	General Fund--State Appropriation (FY 2010)	\$53,607,000
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1 General Fund--State Appropriation (FY 2011) \$51,812,000
 2 Judicial Information Systems Account--State
 3 Appropriation \$29,676,000
 4 Judicial Stabilization Trust Account--State
 5 Appropriation \$6,598,000
 6 TOTAL APPROPRIATION \$141,693,000

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

9 (1) \$1,800,000 of the general fund--state appropriation for fiscal
 10 year 2010 and \$1,800,000 of the general fund--state appropriation for
 11 fiscal year 2011 are provided solely for school districts for petitions
 12 to juvenile court for truant students as provided in RCW 28A.225.030
 13 and 28A.225.035. The office of the administrator for the courts shall
 14 develop an interagency agreement with the superintendent of public
 15 instruction to allocate the funding provided in this subsection.
 16 Allocation of this money to school districts shall be based on the
 17 number of petitions filed. This funding includes amounts school
 18 districts may expend on the cost of serving petitions filed under RCW
 19 28A.225.030 by certified mail or by personal service or for the
 20 performance of service of process for any hearing associated with RCW
 21 28A.225.030.

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

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

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

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

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

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

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

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

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

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

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

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

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

22 **Sec. 115.** 2009 c 4 s 113 (uncodified) is amended to read as
23 follows:

24 **FOR THE OFFICE OF PUBLIC DEFENSE**

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

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

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

1 possible, reduce spending in those areas that shall have the least
2 impact on implementing its mission.

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

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

6	General Fund--State Appropriation (FY 2010)	\$11,175,000
7	General Fund--State Appropriation (FY 2011)	\$11,105,000
8	Judicial Stabilization Trust Account--State	
9	Appropriation	\$1,160,000
10	TOTAL APPROPRIATION	\$23,440,000

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

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

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

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

28	General Fund--State Appropriation (FY 2010)	\$5,880,000
29	General Fund--State Appropriation (FY 2011)	\$5,876,000
30	Economic Development Strategic Reserve Account--State	
31	Appropriation	\$1,500,000
32	TOTAL APPROPRIATION	\$13,256,000

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

35 (1) \$1,500,000 of the economic development strategic reserve
36 account appropriation is provided solely for efforts to assist with

1 currently active industrial recruitment efforts that will bring new
2 jobs to the state or will retain headquarter locations of major
3 companies currently housed in the state.

4 (2)(a) Within the funds appropriated in this section, the governor
5 shall convene a joint legislative and executive task force on coal
6 fired power plants.

7 (i) The members of the task force shall consist of:

8 (A) One member from each of the major caucuses of the senate, or
9 their designees, as appointed by the president of the senate;

10 (B) One member from each of the major caucuses of the house, or
11 their designees, as appointed by the speaker of the house; and

12 (C) The governor's designee.

13 (ii) The task force shall be chaired by the governor's designee.

14 (iii) Staff from the state energy office at the department of
15 community, trade, and economic development, the department of revenue,
16 and from the legislature as available, shall support the task force.

17 (b) The task force shall evaluate alternatives for how existing
18 coal-fired power plants can meet the state's greenhouse gas emissions
19 performance standard as required by Engrossed Second Substitute Senate
20 Bill No. 5735.

21 (i) The task force shall review information on:

22 (A) The availability of alternative power production technologies;

23 (B) The timelines for planning, design, permitting, and
24 construction of new power facilities;

25 (C) The construction and operation costs of alternatives; and

26 (D) Options for financing and cost recovery, including private
27 joint ventures, government incentives, long-term purchase options,
28 public power, and private-public partnerships.

29 (ii) The task force shall consider:

30 (A) the long-term needs for the supply of electricity in western
31 Washington;

32 (B) The generation and transmission needs required to meet future
33 supplies and sustain the electrical grid;

34 (C) Existing government incentives for power facilities; and

35 (D) Options for retaining jobs during a transition to cleaner
36 energy facilities.

37 (iii) The task force shall identify barriers and opportunities for
38 how existing coal-fired power plants can meet the state's emissions

1 performance standard, and make recommendations for policies and
2 incentives that could facilitate or accelerate meeting the requirements
3 of Engrossed Second Substitute Senate Bill No. 5735.

4 (iv) The task force shall solicit information and advice from a
5 broad range of experts, including representatives of:

6 (A) Coal-fired power plants in Washington state, and the coal-fired
7 power industry;

8 (B) Clean energy industry associations;

9 (C) Public and investor-owned utilities that supply electricity;

10 (D) Financial institutions that invest in generation of
11 electricity;

12 (E) Environmental groups that focus on clean energy;

13 (F) Federal and state agencies with jurisdiction or expertise in
14 generation and distribution of electricity; and

15 (G) Others as needed.

16 (v) The governor shall invite representatives from the Bonneville
17 power administration and the Northwest power and conservation council
18 to participate on the task force.

19 (4) By December 1, 2010, the task force shall submit a report to
20 the governor and appropriate standing committees of the legislature,
21 with recommendations for policies or incentives that would facilitate
22 and accelerate the ability of existing coal-fired power plants to meet
23 the state's greenhouse gas emissions performance standard. The task
24 force recommendations must include timelines for interim decision
25 points and other benchmarks needed to meet the requirements of
26 Engrossed Second Substitute Senate Bill No. 5735 in an orderly fashion,
27 including consideration of the following targets:

28 (a) By 2012, a determination of the potential for long-term
29 sequestration of carbon emissions in geological formations near
30 existing coal-fired power plants;

31 (b) By 2015, a determination of the feasibility for deploying
32 large-scale capture and sequestration of greenhouse gas emissions, and
33 if determined not feasible, what alternatives will be pursued to meet
34 the performance standard; and

35 (c) By 2018, a decision on the type of clean energy facility needed
36 to meet the state's emission performance standard, including actions
37 taken by such date to ensure compliance with the standard in a timely
38 fashion.

1 (5) By June 30, 2011, and every year thereafter, the department of
2 community, trade, and economic development shall provide a progress
3 report to the appropriate standing committees of the legislature on the
4 actions undertaken pursuant to this section, including actions by the
5 owner or operator of the coal-fired power plants to progress toward
6 compliance with the state's emissions performance standard pursuant to
7 Engrossed Second Substitute Senate Bill No. 5735.

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

9	General Fund--State Appropriation (FY 2010)	\$770,000
10	General Fund--State Appropriation (FY 2011)	\$788,000
11	General Fund--Private/Local Appropriation	\$90,000
12	TOTAL APPROPRIATION	\$1,648,000

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

14	General Fund--State Appropriation (FY 2010)	\$2,267,000
15	General Fund--State Appropriation (FY 2011)	\$2,264,000
16	TOTAL APPROPRIATION	\$4,531,000

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

18	General Fund--State Appropriation (FY 2010)	\$21,370,000
19	General Fund--State Appropriation (FY 2011)	\$18,444,000
20	General Fund--Federal Appropriation	\$8,121,000
21	Archives and Records Management Account--State	
22	Appropriation	\$8,863,000
23	Department of Personnel Service Account--State	
24	Appropriation	\$760,000
25	Local Government Archives Account--State Appropriation . .	\$11,777,000
26	Election Account--Federal Appropriation	\$29,715,000
27	TOTAL APPROPRIATION	\$99,050,000

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

30 (1) \$4,101,000 of the general fund--state appropriation for fiscal
31 year 2010 is provided solely to reimburse counties for the state's
32 share of primary and general election costs and the costs of conducting
33 mandatory recounts on state measures. Counties shall be reimbursed
34 only for those odd-year election costs that the secretary of state
35 validates as eligible for reimbursement.

1 (2)(a) \$1,897,000 of the general fund--state appropriation for
2 fiscal year 2010 and \$2,076,000 of the general fund--state
3 appropriation for fiscal year 2011 are provided solely for contracting
4 with a nonprofit organization to produce gavel-to-gavel television
5 coverage of state government deliberations and other events of
6 statewide significance during the 2009-2011 biennium. The funding
7 level for each year of the contract shall be based on the amount
8 provided in this subsection. The nonprofit organization shall be
9 required to raise contributions or commitments to make contributions,
10 in cash or in kind, in an amount equal to forty percent of the state
11 contribution. The office of the secretary of state may make full or
12 partial payment once all criteria in this subsection have been
13 satisfactorily documented.

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

19 (c) The nonprofit organization shall prepare an annual independent
20 audit, an annual financial statement, and an annual report, including
21 benchmarks that measure the success of the nonprofit organization in
22 meeting the intent of the program.

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

25 (i) Attempting to influence the passage or defeat of any
26 legislation by the legislature of the state of Washington, by any
27 county, city, town, or other political subdivision of the state of
28 Washington, or by the congress, or the adoption or rejection of any
29 rule, standard, rate, or other legislative enactment of any state
30 agency;

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

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

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

37 (4) The secretary of state shall not reduce the services provided

1 by the talking book and Braille library below the service level
2 provided in fiscal year 2008.

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

6 NEW SECTION. **Sec. 121. FOR THE GOVERNOR'S OFFICE OF INDIAN**
7 **AFFAIRS**

8 General Fund--State Appropriation (FY 2010) \$266,000
9 General Fund--State Appropriation (FY 2011) \$276,000
10 TOTAL APPROPRIATION \$542,000

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

21 NEW SECTION. **Sec. 122. FOR THE COMMISSION ON ASIAN PACIFIC**
22 **AMERICAN AFFAIRS**

23 General Fund--State Appropriation (FY 2010) \$236,000
24 General Fund--State Appropriation (FY 2011) \$224,000
25 TOTAL APPROPRIATION \$460,000

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

27 State Treasurer's Service Account--State
28 Appropriation \$14,802,000

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

30 General Fund--State Appropriation (FY 2010) \$722,000
31 General Fund--State Appropriation (FY 2011) \$729,000
32 State Auditing Services Revolving
33 Account--State Appropriation \$12,061,000
34 TOTAL APPROPRIATION \$13,512,000

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

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

8 (2) \$722,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$729,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for staff and related costs to
11 verify the accuracy of reported school district data submitted for
12 state funding purposes; conduct school district program audits of state
13 funded public school programs; establish the specific amount of state
14 funding adjustments whenever audit exceptions occur and the amount is
15 not firmly established in the course of regular public school audits;
16 and to assist the state special education safety net committee when
17 requested.

18 (3) By November 1 of each fiscal year of the 2009-11 biennium, the
19 state auditor shall report to the senate and house of representatives
20 committees on ways and means on state expenditure savings achieved from
21 the implementation of performance audits conducted by the state
22 auditor. It is the intent of the legislature to reduce the 2009-11
23 legislative transfers from the performance audits of government
24 accounts to recognize actual reductions achieved in expenditures from
25 the state treasury as a result of these performance audits.

26 NEW SECTION. **Sec. 125. FOR THE CITIZENS' COMMISSION ON SALARIES**
27 **FOR ELECTED OFFICIALS**

28	General Fund--State Appropriation (FY 2010)	\$171,000
29	General Fund--State Appropriation (FY 2011)	\$212,000
30	TOTAL APPROPRIATION	\$383,000

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

32	General Fund--State Appropriation (FY 2010)	\$5,325,000
33	General Fund--State Appropriation (FY 2011)	\$5,654,000
34	General Fund--Federal Appropriation	\$4,026,000
35	New Motor Vehicle Arbitration Account--State	
36	Appropriation	\$1,346,000

1	Legal Services Revolving Account--State	
2	Appropriation	\$221,515,000
3	Tobacco Prevention and Control Account--State	
4	Appropriation	\$270,000
5	TOTAL APPROPRIATION	\$238,136,000

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

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

18 (2) Prior to entering into any negotiated settlement of a claim
19 against the state that exceeds five million dollars, the attorney
20 general shall notify the director of financial management and the
21 chairs of the senate committee on ways and means and the house of
22 representatives committee on ways and means.

23 (3) The office of the attorney general is authorized to expend
24 \$2,100,000 from the Zyprexa and other cy pres awards towards consumer
25 protection costs in accordance with uses authorized in the court
26 orders.

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

34 (5) \$40,000 of the fiscal year 2010 general fund--state
35 appropriation and \$40,000 of the fiscal year 2011 general fund--state
36 appropriation are provided solely to implement Second Substitute Senate
37 Bill No. 5850 (human trafficking violations). If the bill is not

1 enacted by June 30, 2009, the amounts provided in this subsection shall
2 lapse.

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

4 General Fund--State Appropriation (FY 2010) \$779,000
5 General Fund--State Appropriation (FY 2011) \$772,000
6 TOTAL APPROPRIATION \$1,551,000

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

15 NEW SECTION. **Sec. 128. FOR THE DEPARTMENT OF COMMUNITY, TRADE,
16 AND ECONOMIC DEVELOPMENT**

17 General Fund--State Appropriation (FY 2010) \$51,240,000
18 General Fund--State Appropriation (FY 2011) \$51,938,000
19 General Fund--Federal Appropriation \$384,540,000
20 General Fund--Private/Local Appropriation \$16,266,000
21 Public Works Assistance Account--State Appropriation \$2,990,000
22 Tourism Development and Promotion Account--State
23 Appropriation \$1,003,000
24 Drinking Water Assistance Administrative
25 Account--State Appropriation \$439,000
26 Lead Paint Account--State Appropriation \$18,000
27 Building Code Council Account--State Appropriation \$1,286,000
28 Home Security Fund Account--State Appropriation \$23,498,000
29 Affordable Housing for All Account--State Appropriation . . \$11,900,000
30 Washington Auto Theft Prevention Authority
31 Account--State Appropriation \$300,000
32 Independent Youth Housing Account--State Appropriation \$80,000
33 Community Preservation and Development Authority
34 Account--State Appropriation \$350,000
35 Financial Fraud and Identity Theft Crimes Investigation
36 and Prosecution Account--State Appropriation \$1,166,000

1	Low-Income Weatherization Assistance Account--State	
2	Appropriation	\$8,382,000
3	Manufacturing Innovation and Modernization	
4	Account--State Appropriation	\$246,000
5	Community and Economic Development Fee	
6	Account--State Appropriation	\$1,833,000
7	Washington Housing Trust Account--State Appropriation . . .	\$15,372,000
8	Public Facility Construction Loan Revolving	
9	Account--State Appropriation	\$755,000
10	TOTAL APPROPRIATION	\$573,602,000

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

13 (1) \$2,520,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$2,521,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for a contract with the Washington
16 technology center for work essential to the mission of the Washington
17 technology center and conducted in partnership with universities.

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

25 (3) \$100,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$100,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely to implement section 2(7) of
28 Engrossed Substitute House Bill No. 1959 (land use and transportation
29 planning for marine container ports).

30 (4) \$102,000 of the building code council account--state
31 appropriation is provided solely for the implementation of sections 3
32 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built
33 environment pollution). If sections 3 and 7 of the bill are not
34 enacted by June 30, 2009, the amounts provided in this subsection shall
35 lapse.

36 (5)(a) \$10,500,000 of the general fund--federal appropriation is
37 provided for training and technical assistance associated with low
38 income weatherization programs. Subject to federal requirements, the

1 department shall provide: (i) Up to \$4,000,000 to the state board for
2 community and technical colleges to provide workforce training related
3 to weatherization and energy efficiency; (ii) up to \$3,000,000 to the
4 Bellingham opportunity council to provide workforce training related to
5 energy efficiency and weatherization; and (iii) up to \$3,500,000 to
6 community-based organizations and to community action agencies
7 consistent with the provisions of Engrossed Second Substitute House
8 Bill No. 2227 (evergreen jobs act). Any funding remaining shall be
9 expended in project 91000013, weatherization, in the omnibus capital
10 appropriations act, Substitute House Bill No. 1216 (capital budget).

11 (b) \$6,787,000 of the general fund--federal appropriation is
12 provided solely for the state energy program, including not less than
13 \$5,000,000 to provide credit enhancements consistent with the
14 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy
15 efficiency in buildings).

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

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

30 (e) \$10,646,000 of the general fund--federal appropriation is
31 provided pursuant to the energy efficiency and conservation block grant
32 under the American reinvestment and recovery act. The department may
33 use up to \$3,000,000 of the amount provided in this subsection to
34 provide technical assistance for energy programs administered by the
35 agency under the American reinvestment and recovery act.

36 (6) \$14,000 of the general fund--state appropriation for fiscal
37 year 2010 is provided solely for the implementation of Engrossed Second

1 Substitute Senate Bill No. 5560 (state agency climate leadership). If
2 the bill is not enacted by June 30, 2009, the amount provided in this
3 subsection shall lapse.

4 (7) Associate development organizations receiving funding through
5 the appropriations in this section shall work with the community and
6 technical colleges to better align workforce and economic development
7 programs within industry clusters identified by the associate
8 development associations as necessary to deploy funds in response to
9 high-demand fields and consistent with Engrossed Second Substitute
10 Senate Bill No. 5809 (revising unemployment compensation and workforce
11 training provisions). The workforce programs should be consistent with
12 industry clusters identified by the associate development organization
13 and approved by a private industry partner within the industry cluster.

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

25 (9) \$20,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$20,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely for a grant to KCTS public
28 television to support Spanish language programming and the V-me Spanish
29 language channel.

30 (10) \$500,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$500,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for a grant to resolution
33 Washington to building statewide capacity for alternative dispute
34 resolution centers and dispute resolution programs that guarantee that
35 citizens have access to low-cost resolution as an alternative to
36 litigation.

37 (11) \$76,000 of the general fund--state appropriation for fiscal

1 year 2010 is provided solely for implementation of Engrossed Substitute
2 Senate Bill No. 5840 (energy independence). If the bill is not enacted
3 by June 30, 2009, the amount provided in this subsection shall lapse.

4 (12) \$30,000 of the general fund--state appropriation for fiscal
5 year 2010 is provided solely for implementation of Engrossed Second
6 Substitute Senate Bill No. 6015 (commercialization of technology). If
7 the bill is not enacted by June 30, 2009, the amount provided in this
8 subsection shall lapse.

9 (13) By June 30, 2011, the department shall request information
10 that describes what jurisdictions have adopted, or are in the process
11 of adopting, plans that address RCW 36.70A.020 and helps achieve the
12 greenhouse gas emission reductions established in RCW 70.235.020. This
13 information request in this subsection applies to jurisdictions that
14 are required to review and if necessary revise their comprehensive
15 plans by December 1, 2011, in accordance with RCW 36.70A.130.

16 (14) During the 2009-11 fiscal biennium, the department shall allot
17 all of its appropriations subject to allotment by object, account, and
18 expenditure authority code to conform with the office of financial
19 management's definition of an option 2 allotment. For those funds
20 subject to allotment but not appropriation, the agency shall submit
21 option 2 allotments to the office of financial management.

22 (15) A county receiving funds pursuant to RCW 36.22.178, 36.22.179,
23 and 36.22.1791, shall, within that funding:

24 (a) Beginning July 1, 2009, include a life-cycle cost analysis
25 program as one of the criteria in deciding which proposals to award
26 funds. "Life-cycle cost analysis" means an analysis of the total
27 discounted dollar cost of owning, operating, maintaining, and disposing
28 of a building or building system to compare the cost of capital
29 developments to vouchers, and to compare the cost of two or more
30 competing development proposals.

31 (b) By September 30, 2009, and September 30, 2010, submit to the
32 department of community, trade, and economic development a report
33 describing the distribution of the funds. The report shall include:

34 (i) A description of the process used by the county for allocating
35 funds;

36 (ii) The use of funds including, but not limited to, housing
37 vouchers, program services, and housing projects; and

38 (iii) The criteria used for making funding allocation decisions.

1 (c) By December 1st of each year, the department of community,
2 trade, and economic development shall prepare a report to the
3 legislature and the office of financial management compiling the
4 reports submitted under (b) of this subsection. For the funds
5 collected under RCW 36.22.178, 36.22.179, and 36.22.1791, and allocated
6 by the department to entities other than counties, this report must
7 also include:

8 (i) A description of the process used by the department for
9 allocating funds;

10 (ii) The use of funds including, but not limited to, housing
11 vouchers, program services, and housing projects; and

12 (iii) The criteria used for making funding allocation decisions.

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

17 (17) The Washington state economic development commission shall
18 review existing state infrastructure programs which are focused on
19 economic development and provide analysis, findings, and
20 recommendations to the legislature and governor on preferred policy
21 priorities and funding options for existing programs and possible
22 revised or new programs to best ensure successful state economic
23 efforts which are: (a) Aligned with the state's comprehensive plan for
24 economic development; (b) responding to emerging economic conditions
25 and opportunities; (c) improving local capacity; (d) maximizing results
26 through partnerships and leveraging private capital; and (e) providing
27 accountability to the public, the executive branch, and the legislative
28 branch. The commission shall submit its report to the governor and the
29 legislature by December 1, 2009.

30 (18) \$712,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$712,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely to the office of crime victims
33 advocacy. These funds shall be contracted with the 39 county
34 prosecuting attorneys' offices to support victim-witness services. The
35 funds must be prioritized to ensure a full-time victim-witness
36 coordinator in each county. The office may retain only the amount
37 currently allocated for this activity for administrative costs.

1 (19) \$306,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$306,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for a grant to the retired senior
4 volunteer program.

5 (20) \$65,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$65,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for a contract with a food
8 distribution program for communities in the southwestern portion of the
9 state and for workers impacted by timber and salmon fishing closures
10 and reductions. The department may not charge administrative overhead
11 or expenses to the funds provided in this subsection.

12 (21) \$371,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$371,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely to the northwest agriculture
15 business center.

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

20 (23) \$212,000 of the general fund--federal appropriation is
21 provided solely for implementation of Second Substitute House Bill No.
22 1172 (development rights transfer). If the bill is not enacted by June
23 30, 2009, the amount provided in this subsection shall lapse.

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

29 (25) \$69,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$66,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided solely for implementation of Engrossed
32 Second Substitute House Bill No. 2227 (evergreen jobs act). If the
33 bill is not enacted by June 30, 2009, the amounts provided in this
34 subsection shall lapse.

35 (26) \$350,000 of the community development and preservation
36 authority account--state appropriation is provided solely for a grant
37 to a community development authority established under chapter 43.167
38 RCW. The community preservation and development's board of directors

1 may contract with nonprofit community organizations to aid in
2 mitigating the effects of increased public impact on urban
3 neighborhoods due to events in stadia that have a capacity of over
4 50,000 spectators.

5 (27) \$300,000 of the Washington auto theft prevention authority
6 account--state appropriation is provided solely for a contract with a
7 community group to build local community capacity and economic
8 development within the state by strengthening political relationships
9 between economically distressed communities and governmental
10 institutions. The community group shall identify opportunities for
11 collaboration and initiate activities and events that bring community
12 organizations, local governments, and state agencies together to
13 address the impacts of poverty, political disenfranchisement, and
14 economic inequality on communities of color. These funds must be
15 matched by other nonstate sources on an equal basis.

16 (28) \$1,800,000 of the home security fund--state appropriation is
17 provided for transitional housing assistance or partial payments for
18 rental assistance under the independent youth housing program.

19 (29) \$5,000,000 of the home security fund--state appropriation is
20 provided solely for the operation, repair, and staffing of shelters in
21 the homeless family shelter program.

22 NEW SECTION. **Sec. 129. FOR THE ECONOMIC AND REVENUE FORECAST**
23 **COUNCIL**

24	General Fund--State Appropriation (FY 2010)	\$727,000
25	General Fund--State Appropriation (FY 2011)	\$793,000
26	TOTAL APPROPRIATION	\$1,520,000

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

28	General Fund--State Appropriation (FY 2010)	\$22,163,000
29	General Fund--State Appropriation (FY 2011)	\$20,792,000
30	General Fund--Federal Appropriation	\$23,597,000
31	General Fund--Private/Local Appropriation	\$1,270,000
32	State Auditing Services Revolving	
33	Account--State Appropriation	\$25,000
34	Economic Development Strategic Reserve Account--	
35	State Appropriation	\$280,000
36	TOTAL APPROPRIATION	\$68,127,000

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

3 (1) \$188,000 of the general fund--state appropriation for fiscal
4 year 2010 is provided solely for the implementation of Second
5 Substitute Senate Bill No. 5945 (Washington health partnership plan).

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

8 (2) The office of financial management shall conduct a study on
9 alternatives for consolidating or transferring activities and
10 responsibilities of the state lottery commission, state horse racing
11 commission, state liquor control board, and the state gambling
12 commission to achieve cost savings and regulatory efficiencies. In
13 conducting the study, the office of financial management shall consult
14 with the legislative fiscal committees. Further, the office of
15 financial management shall establish an advisory group to include, but
16 not be limited to, representatives of affected businesses, state
17 agencies or entities, local governments, and stakeholder groups. The
18 office of financial management shall submit a final report to the
19 governor and the legislative fiscal committees by November 15, 2009.

20 (3) \$500,000 of the general fund--state appropriation for fiscal
21 year 2010 is provided solely for a study of the feasibility of closing
22 state institutional facilities and a plan on eliminating beds in the
23 state institutional facility inventory. The office of financial
24 management shall contract with consultants with expertise related to
25 the subject matters included in this study. The office of financial
26 management and the consultants shall consult with the department of
27 social and health services, the department of corrections, stakeholder
28 groups that represent the people served in these institutions, labor
29 organizations that represent employees who work in these institutions
30 and other persons or entities with expertise in the areas being
31 studied.

32 (a) For the purposes of this study, "state institutional
33 facilities" means facilities operated by the department of corrections
34 to house persons convicted of a criminal offense, Green Hill school and
35 Maple Lane school operated by the department of social and health
36 services juvenile rehabilitation administration, and residential
37 habilitation centers operated by the department of social and health
38 services.

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

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

6 (ii) The cost of operating the facility, including the cost of
7 providing services and the cost of maintaining or improving the
8 physical plant of the facility;

9 (iii) The geographic factors associated with the facility,
10 including the impact of the facility on the local economy and the
11 economic impact of its closure, and alternative uses for a facility
12 recommended for closure;

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

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

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

20 (vii) For the residential habilitation centers, the impact on
21 clients in the facility being recommended for closure and their
22 families, including ability to get alternate services and impact on
23 being moved to another facility.

24 (c) The office of financial management shall submit a final report
25 to the governor and the ways and means committees of the house of
26 representatives and senate by November 1, 2009. The report shall
27 provide a recommendation and a plan to eliminate 1,580 beds in the
28 department of corrections facilities, 235 beds from juvenile
29 rehabilitation facilities, and 250 funded beds in the residential
30 habilitation centers through closure or consolidation of facilities.
31 The report shall include an assessment of each facility studied, where
32 and how the services should be provided, and any costs or savings
33 associated with each recommendation. In considering the
34 recommendations of the report, the governor and the legislature shall
35 not consider closure of any state institutional facility unless the
36 report recommended the facility for closure.

1 NEW SECTION. **Sec. 131. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

2 Administrative Hearings Revolving

3 Account--State Appropriation \$33,473,000

4 NEW SECTION. **Sec. 132. FOR THE DEPARTMENT OF PERSONNEL**

5 Department of Personnel Service Account--State

6 Appropriation \$22,025,000

7 Higher Education Personnel Services Account--State

8 Appropriation \$1,716,000

9 TOTAL APPROPRIATION \$23,741,000

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

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

22 Lottery Administrative Account--State Appropriation \$27,776,000

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

24 General Fund--State Appropriation (FY 2010) \$253,000

25 General Fund--State Appropriation (FY 2011) \$260,000

26 TOTAL APPROPRIATION \$513,000

27 NEW SECTION. **Sec. 135. FOR THE COMMISSION ON AFRICAN-AMERICAN**
28 **AFFAIRS**

29 General Fund--State Appropriation (FY 2010) \$243,000

30 General Fund--State Appropriation (FY 2011) \$244,000

31 TOTAL APPROPRIATION \$487,000

32 NEW SECTION. **Sec. 136. FOR THE DEPARTMENT OF RETIREMENT**

1 **SYSTEMS--OPERATIONS**

2 Department of Retirement Systems Expense

3 Account--State Appropriation \$49,504,000

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

6 (1) \$148,000 of the department of retirement systems--state
7 appropriation is provided solely for the administrative costs
8 associated with implementation of Senate Bill No. 5303 (transferring
9 members of retirement systems). If the bill is not enacted by June 30,
10 2009, the amount provided in this subsection shall lapse.

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

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

23 (4) \$45,000 of the department of retirement systems expense
24 account--state appropriation is provided solely to implement Engrossed
25 Substitute House Bill No. 1445 (Washington state patrol retirement
26 system domestic partners). If the bill is not enacted by June 30,
27 2009, the amount provided in this subsection shall lapse.

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

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

1 (7) \$35,000 of the department of retirement systems expense
2 account--state appropriation is provided solely to implement Substitute
3 House Bill No. 1953 (department of fish and wildlife enforcement
4 officers' past service credit). If the bill is not enacted by June 30,
5 2009, the amount provided in this subsection shall lapse.

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

7	General Fund--State Appropriation (FY 2010)	\$109,412,000
8	General Fund--State Appropriation (FY 2011)	\$108,505,000
9	Timber Tax Distribution Account--State Appropriation	\$5,904,000
10	Waste Reduction/Recycling/Litter	
11	Control--State Appropriation	\$130,000
12	Waste Tire Removal Account--State Appropriation	\$2,000
13	Real Estate Excise Tax Grant Account--State	
14	Appropriation	\$1,050,000
15	State Toxics Control Account--State Appropriation	\$87,000
16	Oil Spill Prevention Account--State Appropriation	\$19,000
17	TOTAL APPROPRIATION	\$225,109,000

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

20 (1) \$469,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$374,000 of the general fund--state appropriation for
22 fiscal year 2011 are for the implementation of Substitute Senate Bill
23 No. 5368 (annual property revaluation). If the bill is not enacted by
24 June 30, 2009, the amounts in this subsection shall lapse.

25 (2) \$5,453,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$5,242,000 of the general fund--state appropriation for
27 fiscal year 2011 are for the implementation of revenue enhancement
28 strategies. The strategies must include increased out-of-state
29 auditing and compliance, the purchase of third party data sources for
30 enhanced audit selection, and increased traditional auditing and
31 compliance efforts.

32 (3) \$3,127,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$1,737,000 of the general fund--state appropriation for
34 fiscal year 2011 are for the implementation of Senate Bill No. 6173
35 (sales tax compliance). If the bill is not enacted by June 30, 2009,
36 the amounts provided in this subsection shall lapse.

1 (4) \$97,000 of the general fund--state appropriation for fiscal
2 year 2010 is for the implementation of Substitute House Bill No. 1597
3 (tax administration). If the bill is not enacted by June 30, 2009, the
4 amount provided in this subsection shall lapse.

5 NEW SECTION. **Sec. 138. FOR THE STATE INVESTMENT BOARD**

6 State Investment Board Expense Account--State
7 Appropriation \$29,581,000

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

10 (1) \$2,471,000 of the state investment board expense account--state
11 appropriation is provided solely for development of a risk management
12 information system, with the intent that further expenditures for this
13 project be made only by appropriation.

14 (2) The state investment board shall include funding for any future
15 salary increases authorized under RCW 43.33A.100 in the agency's budget
16 request submitted in accordance with chapter 43.88 RCW in advance of
17 granting related salary increases. The biennial salary survey required
18 under RCW 43.33A.100 shall also be provided to the office of financial
19 management and to the fiscal committees of the legislature as part of
20 the state investment board's biennial budget submittal, and shall
21 include the total amount of compensation increases proposed, as well as
22 recommended salary ranges.

23 NEW SECTION. **Sec. 139. FOR THE BOARD OF TAX APPEALS**

24 General Fund--State Appropriation (FY 2010) \$1,364,000
25 General Fund--State Appropriation (FY 2011) \$1,368,000
26 TOTAL APPROPRIATION \$2,732,000

27 NEW SECTION. **Sec. 140. FOR THE MUNICIPAL RESEARCH COUNCIL**

28 County Research Services Account--State Appropriation \$940,000
29 City and Town Research Services--State Appropriation \$4,515,000
30 TOTAL APPROPRIATION \$5,455,000

31 NEW SECTION. **Sec. 141. FOR THE OFFICE OF MINORITY AND WOMEN'S
32 BUSINESS ENTERPRISES**

33 OMWBE Enterprises Account--State Appropriation \$3,622,000

1 voice mail systems to internal voice mail systems coordinated by the
2 department. The department shall report to the office of financial
3 management and the fiscal committees of the legislature semiannually on
4 progress made towards the implementation of savings strategies and the
5 savings realized to date. No later than June 30, 2011, the department
6 shall submit a final report on its findings and savings realized to the
7 office of financial management and the fiscal committees of the
8 legislature.

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

10	General Fund--Federal Appropriation	\$1,943,000
11	Insurance Commissioners Regulatory Account--State	
12	Appropriation	\$47,978,000
13	TOTAL APPROPRIATION	\$49,921,000

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

16 (1) \$410,000 of the insurance commissioner's regulatory account
17 appropriation is provided solely to implement Substitute Senate Bill
18 No. 5480 (discount health plans). If the bill is not enacted by June
19 30, 2009, the amount provided in this subsection shall lapse.

20 (2) \$598,000 of the insurance commissioner's regulatory account
21 appropriation is provided solely to implement Substitute Senate Bill
22 No. 5195 (life settlements model act). If the bill is not enacted by
23 June 30, 2009, the amount provided in this subsection shall lapse.

24 (3) \$551,000 of the insurance commissioner's regulatory account
25 appropriation is provided solely to implement Second Substitute Senate
26 Bill No. 5346 (health care administration simplification). If the bill
27 is not enacted by June 30, 2009, the amount provided in this subsection
28 shall lapse.

29 NEW SECTION. **Sec. 145. FOR THE BOARD OF ACCOUNTANCY**

30	Certified Public Accountants' Account--State	
31	Appropriation	\$3,016,000

32 NEW SECTION. **Sec. 146. FOR THE FORENSIC INVESTIGATION COUNCIL**

33	Death Investigations Account--State Appropriation	\$280,000
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34 The appropriation in this section is subject to the following
35 conditions and limitations: \$250,000 of the death investigation

1 account appropriation is provided solely for providing financial
2 assistance to local jurisdictions in multiple death investigations.
3 The forensic investigation council shall develop criteria for awarding
4 these funds for multiple death investigations involving an
5 unanticipated, extraordinary, and catastrophic event or those involving
6 multiple jurisdictions.

7 NEW SECTION. **Sec. 147. FOR THE HORSE RACING COMMISSION**

8 Horse Racing Commission Operating Account--State

9 Appropriation \$5,123,000

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

14 NEW SECTION. **Sec. 148. FOR THE LIQUOR CONTROL BOARD**

15 Liquor Control Board Construction and Maintenance

16 Account--State Appropriation \$8,817,000

17 Liquor Revolving Account--State Appropriation \$200,506,000

18 TOTAL APPROPRIATION \$209,323,000

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

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

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

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

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

1 (5) If Senate Bill No. 6065 is not enacted by June 30, 2009, the
2 liquor revolving account appropriation in this section shall be
3 increased by \$728,000.

4 NEW SECTION. **Sec. 149. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**
5 Volunteer Firefighters' and Reserve Officers'
6 Administrative Account--State Appropriation \$1,044,000

7 NEW SECTION. **Sec. 150. FOR THE UTILITIES AND TRANSPORTATION**
8 **COMMISSION**
9 Public Service Revolving Account--State Appropriation . . . \$31,306,000
10 Pipeline Safety Account--State Appropriation \$3,194,000
11 Pipeline Safety Account--Federal Appropriation \$1,536,000
12 TOTAL APPROPRIATION \$36,036,000

13 NEW SECTION. **Sec. 151. FOR THE MILITARY DEPARTMENT**
14 General Fund--State Appropriation (FY 2010) \$10,244,000
15 General Fund--State Appropriation (FY 2011) \$10,290,000
16 General Fund--Federal Appropriation \$149,101,000
17 Enhanced 911 Account--State Appropriation \$39,598,000
18 Disaster Response Account--State Appropriation \$28,194,000
19 Disaster Response Account--Federal Appropriation \$91,263,000
20 Military Department Rent and Lease Account--State
21 Appropriation \$615,000
22 Military Department Active State Service Account--Federal
23 Appropriation \$200,000
24 Worker and Community Right-to-Know Account--State
25 Appropriation \$341,000
26 Nisqually Earthquake Account--State Appropriation \$144,000
27 Nisqually Earthquake Account--Federal Appropriation \$856,000
28 TOTAL APPROPRIATION \$330,846,000

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

31 (1) \$28,194,000 of the disaster response account--state
32 appropriation and \$91,263,000 of the disaster response account--federal
33 appropriation may be spent only on disasters declared by the governor
34 and with the approval of the office of financial management. The
35 military department shall submit a report quarterly to the office of

1 financial management and the legislative fiscal committees detailing
2 information on the disaster response account, including: (a) The
3 amount and type of deposits into the account; (b) the current available
4 fund balance as of the reporting date; and (c) the projected fund
5 balance at the end of the 2009-2011 biennium based on current revenue
6 and expenditure patterns.

7 (2) \$144,000 of the Nisqually earthquake account--state
8 appropriation and \$856,000 of the Nisqually earthquake account--federal
9 appropriation are provided solely for response and recovery costs
10 associated with the February 28, 2001, earthquake. The military
11 department shall submit a report quarterly to the office of financial
12 management and the legislative fiscal committees detailing earthquake
13 recovery costs, including: (a) Estimates of total costs; (b)
14 incremental changes from the previous estimate; (c) actual
15 expenditures; (d) estimates of total remaining costs to be paid; and
16 (e) estimates of future payments by biennium. This information shall
17 be displayed by fund, by type of assistance, and by amount paid on
18 behalf of state agencies or local organizations. The military
19 department shall also submit a report quarterly to the office of
20 financial management and the legislative fiscal committees detailing
21 information on the Nisqually earthquake account, including: (a) The
22 amount and type of deposits into the account; (b) the current available
23 fund balance as of the reporting date; and (c) the projected fund
24 balance at the end of the 2009-2011 biennium based on current revenue
25 and expenditure patterns.

26 (3) \$85,000,000 of the general fund--federal appropriation is
27 provided solely for homeland security, subject to the following
28 conditions:

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

32 (b) The department shall submit a quarterly report to the office of
33 financial management and the legislative fiscal committees detailing
34 the governor's domestic security advisory group recommendations;
35 homeland security revenues and expenditures, including estimates of
36 total federal funding for the state; incremental changes from the
37 previous estimate, planned and actual homeland security expenditures by

1 the state and local governments with this federal funding; and matching
2 or accompanying state or local expenditures; and

3 (c) The department shall submit a report by December 1st of each
4 year to the office of financial management and the legislative fiscal
5 committees detailing homeland security revenues and expenditures for
6 the previous fiscal year by county and legislative district.

7 (4) \$500,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$500,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely for the military department to
10 contract with the Washington information network 2-1-1 to operate a
11 statewide 2-1-1 system. The department shall provide the entire amount
12 for 2-1-1 and shall use any of the funds for administrative purposes.

13 NEW SECTION. **Sec. 152. FOR THE PUBLIC EMPLOYMENT RELATIONS**
14 **COMMISSION**

15	General Fund--State Appropriation (FY 2010)	\$3,128,000
16	General Fund--State Appropriation (FY 2011)	\$3,130,000
17	Department of Personnel Service Account--State	
18	Appropriation	\$3,290,000
19	TOTAL APPROPRIATION	\$9,548,000

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

27 NEW SECTION. **Sec. 153. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
28 **HISTORIC PRESERVATION**

29	General Fund--State Appropriation (FY 2010)	\$1,418,000
30	General Fund--State Appropriation (FY 2011)	\$1,380,000
31	General Fund--Federal Appropriation	\$1,653,000
32	General Fund--Private/Local Appropriation	\$14,000
33	TOTAL APPROPRIATION	\$4,465,000

34 The appropriations in this section are subject to the following
35 conditions and limitations: \$44,000 of the general fund--state
36 appropriation for fiscal year 2010 and \$22,000 of the general fund--

1 state appropriation for fiscal year 2011 are provided solely for
2 implementation of Second Substitute House Bill No. 1090 (human
3 remains). If the bill is not enacted by June 30, 2009, the amounts
4 provided in this subsection shall lapse.

5 NEW SECTION. **Sec. 154. FOR THE GROWTH MANAGEMENT HEARINGS BOARD**
6 General Fund--State Appropriation (FY 2010) \$1,674,000
7 General Fund--State Appropriation (FY 2011) \$1,549,000
8 TOTAL APPROPRIATION \$3,223,000

9 NEW SECTION. **Sec. 155. FOR THE STATE CONVENTION AND TRADE CENTER**
10 State Convention and Trade Center Account--State
11 Appropriation \$60,127,000
12 State Convention and Trade Center Operating
13 Account--State Appropriation \$56,995,000
14 TOTAL APPROPRIATION \$117,122,000

(End of part)

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

19 (5) The appropriations to the department of social and health
20 services in this act shall be expended for the programs and in the
21 amounts specified in this act. However, after May 1, 2010, unless
22 specifically prohibited by this act, the department may transfer
23 general fund--state appropriations for fiscal year 2010 among programs
24 after approval by the director of financial management.

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

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

37 General Fund--State Appropriation (FY 2010) \$315,241,000

1	General Fund--State Appropriation (FY 2011)	\$317,248,000
2	General Fund--Federal Appropriation	\$496,509,000
3	General Fund--Private/Local Appropriation	\$828,000
4	Home Security Fund Appropriation	\$8,389,000
5	Domestic Violence Prevention Account--State	
6	Appropriation	\$1,154,000
7	Education Legacy Trust Account--State Appropriation	\$725,000
8	TOTAL APPROPRIATION	\$1,140,094,000

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

11 (1) \$5,563,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$5,563,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for intensive family preservation
14 services as defined in RCW 74.14C.010 and for evidence-based services
15 that prevent out-of-home placement and reduce length of stay in the
16 child welfare system.

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

31 (3) \$375,000 of the general fund--state appropriation for fiscal
32 year 2008, \$375,000 of the general fund--state appropriation for fiscal
33 year 2009, and \$322,000 of the general fund--federal appropriation are
34 provided solely for up to three nonfacility-based programs for the
35 training, consultation, support, and recruitment of biological, foster,
36 and adoptive parents of children through age three in need of special
37 care as a result of substance abuse by their mothers, except that each
38 program may serve up to three medically fragile nonsubstance-abuse-

1 affected children. In selecting nonfacility-based programs, preference
2 shall be given to programs whose federal or private funding sources
3 have expired or that have successfully performed under the existing
4 pediatric interim care program.

5 (4) \$2,500,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$2,500,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for secure crisis residential
8 centers. Within appropriated amounts, the department shall collaborate
9 with providers to maintain no less than forty-five beds that are
10 geographically representative of the state. The department shall
11 examine current secure crisis residential staffing requirements,
12 flexible payment options, center specific waivers, and other
13 appropriate methods to accomplish this outcome.

14 (5) A maximum of \$76,831,000 of the general fund--state
15 appropriations and \$56,901,000 of the general fund--federal
16 appropriations for the 2009-11 biennium shall be expended for
17 behavioral rehabilitative services and these amounts are provided
18 solely for this purpose. The department shall work with behavioral
19 rehabilitative service providers to decrease the length of stay through
20 improved emotional, behavioral, or medical outcomes for children in
21 behavioral rehabilitative services in order to achieve the appropriated
22 levels.

23 (a) Contracted providers shall act in good faith and accept the
24 hardest to place children, to the greatest extent possible, in order to
25 improve their emotional, behavioral, or medical conditions.

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

1 (c) The department is encouraged to use performance-based contracts
2 with incentives directly tied to outcomes described in this section.
3 The contracts should incentivize contracted providers to accept the
4 hardest to place children and incentivize improvement in children's
5 emotional, mental, and medical well-being within the established exit
6 date. The department is further encouraged to increase the use of
7 behavioral rehabilitative service group homes, wrap around services to
8 facilitate and support placement of youth with relatives, and other
9 means to control expenditures.

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

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

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

25 (8) \$37,000 of the general fund--state appropriation for fiscal
26 year 2010, \$37,000 of the general fund--state appropriation for fiscal
27 year 2011, and \$32,000 of the general fund--federal appropriation are
28 provided solely for the implementation of chapter 465, Laws of 2007
29 (child welfare).

30 (9) \$125,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$125,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for continuum of care services.
33 \$100,000 of this amount is for Casey family partners and \$25,000 of
34 this amount is for volunteers of America crosswalk in fiscal year 2010.
35 \$100,000 of this amount is for Casey family partners and \$25,000 of
36 this amount is for volunteers of America crosswalk in fiscal year 2011.

37 (10) \$616,000 of the general fund--state appropriation for fiscal
38 year 2010, \$616,000 of the general fund--state appropriation for fiscal

1 year 2011, and \$368,000 of the general fund--federal appropriation are
2 provided solely to contract with medical professionals for
3 comprehensive safety assessments of high-risk families. The safety
4 assessments will use validated assessment tools to guide intervention
5 decisions through the identification of additional safety and risk
6 factors. \$800,000 of this amount is for comprehensive safety
7 assessments for families receiving in-home child protective services or
8 family voluntary services. \$800,000 of this amount is for
9 comprehensive safety assessments of families with an infant age birth
10 to fifteen days where the infant was, at birth, diagnosed as substance
11 exposed and the department received an intake referral related to the
12 infant due to the substance exposure.

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

24 (12) \$1,789,000 of the home security fund--state appropriation is
25 provided solely for street youth program services.

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

33 (14) \$725,000 of the education legacy trust account--state
34 appropriation is provided solely for children's administration to
35 contract with an educational advocacy provider with expertise in foster
36 care educational outreach. Funding is provided solely for contracted
37 education coordinators to assist foster children in succeeding in K-12

1 and higher education systems. Funding shall be prioritized to regions
2 with high numbers of foster care youth and/or regions where backlogs of
3 youth that have formerly requested educational outreach services exist.

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

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

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

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

33 (19) \$157,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$157,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for the department to contract
36 with a nonprofit entity for a reunification pilot project in Whatcom
37 and Skagit counties. The contract for the reunification pilot project
38 shall include a rate of \$46.16 per hour for evidence-based

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

8 (20) \$303,000 of the general fund--state appropriation for fiscal
9 year 2010, \$418,000 of the general fund--state appropriation for fiscal
10 year 2011, and \$257,000 of the general fund--federal appropriation are
11 provided solely to implement Engrossed Substitute House Bill No. 1961
12 (increasing adoptions act). If the bill is not enacted by June 30,
13 2009, the amounts provided in this subsection shall lapse.

14 (21) \$100,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$100,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for the department to contract
17 with an agency that is working in partnership with, and has been
18 evaluated by, the University of Washington school of social work to
19 implement promising practice constellation hub models of foster care
20 support.

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

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

30	General Fund--State Appropriation (FY 2010)	\$104,870,000
31	General Fund--State Appropriation (FY 2011)	\$93,081,000
32	General Fund--Federal Appropriation	\$6,565,000
33	General Fund--Private/Local Appropriation	\$1,900,000
34	Washington Auto Theft Prevention Authority Account--	
35	State Appropriation	\$3,896,000
36	Juvenile Accountability Incentive Account--Federal	
37	Appropriation	\$2,801,000

1 TOTAL APPROPRIATION \$213,113,000

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

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

13 (2) \$3,578,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$3,578,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the implementation of chapter
16 338, Laws of 1997 (juvenile code revisions). The amounts provided in
17 this subsection are intended to provide funding for county impacts
18 associated with the implementation of chapter 338, Laws of 1997 and
19 shall be distributed to counties as prescribed in the current
20 consolidated juvenile services (CJS) formula.

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

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

1 (5) \$3,066,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$3,066,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for grants to county juvenile
4 courts for the following programs identified by the Washington state
5 institute for public policy (institute) in its October 2006 report:
6 "Evidence-Based Public Policy Options to Reduce Future Prison
7 Construction, Criminal Justice Costs and Crime Rates": Functional
8 family therapy, multi-systemic therapy, aggression replacement training
9 and interagency coordination programs, or other programs with a
10 positive benefit-cost finding in the institute's report. County
11 juvenile courts shall apply to the juvenile rehabilitation
12 administration for funding for program-specific participation and the
13 administration shall provide grants to the courts consistent with the
14 per-participant treatment costs identified by the institute.

15 (6) \$1,287,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$1,287,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for expansion of the following
18 treatments and therapies in juvenile rehabilitation administration
19 programs identified by the Washington state institute for public policy
20 in its October 2006 report: "Evidence-Based Public Policy Options to
21 Reduce Future Prison Construction, Criminal Justice Costs and Crime
22 Rates": Multidimensional treatment foster care, family integrated
23 transitions, and aggression replacement training. The administration
24 may concentrate delivery of these treatments and therapies at a limited
25 number of programs to deliver the treatments in a cost-effective
26 manner.

27 (7)(a) For the fiscal year ending June 30, 2010, the juvenile
28 rehabilitation administration shall administer a block grant, rather
29 than categorical funding, of consolidated juvenile service funds,
30 community juvenile accountability act grants, the chemical dependency
31 disposition alternative funds, the special sex offender disposition
32 alternative funds, the mental health disposition alternative,
33 sentencing disposition alternative, and evidence-based program
34 expansion grants to juvenile courts for the purpose of serving youth
35 adjudicated in the juvenile justice system. Evidence-based programs,
36 based on the criteria established by the Washington state institute for
37 public policy, and disposition alternatives will be funding priorities.
38 Funds may be used for promising practices when approved by juvenile

1 rehabilitation administration, based on criteria established in
2 consultation with Washington state institute for public policy and the
3 juvenile courts.

4 By September 1, 2009, a committee with four members, in
5 consultation with Washington state institute for public policy, shall
6 develop a funding formula that takes into account the juvenile courts
7 average daily population of program eligible youth in conjunction with
8 the number of youth served in each approved evidence-based program or
9 disposition alternative. The committee shall have one representative
10 from the juvenile rehabilitation administration, one representative
11 from the office of financial management, one representative from the
12 office of the administrator of the courts, and one representative from
13 the juvenile courts. Decision making will be by majority rule.

14 By September 1, 2010, the Washington state institute for public
15 policy shall provide a report to the office of financial management and
16 the legislature on the administration of the block grant authorized in
17 this subsection. The report shall include the criteria used for
18 allocating the funding as a block grant and the participation targets
19 and actual participation in the programs subject to the block grant.

20 (b) By December 1, 2009, the committee established in (a) of this
21 subsection, in consultation with Washington state institute for public
22 policy, shall propose to the office of financial management and the
23 legislature changes in the process of funding and managing, including
24 accountability and information collection and dissemination, grants to
25 juvenile courts for serving youth adjudicated in the juvenile court
26 system use in the fiscal year ending June 30, 2011. The proposal shall
27 include, but is not limited to: A process of making a block grant of
28 funds consistent with (a) of this subsection; a program of data
29 collection and measurement criteria for receiving the funds which will
30 include targets of the number of youth served in identified evidence-
31 based programs and disposition alternatives in which the juvenile
32 courts and office of the administrator of the courts will have
33 responsibility for collecting and distributing information and
34 providing access to the data systems to the juvenile rehabilitation
35 administration and the Washington state institute for public policy
36 related to program and outcome data; and necessary changes to the
37 Washington administrative code.

1 (c) Within the funds provided for criminal justice analysis in
2 section 610(4) of this act, the Washington state institute for public
3 policy shall conduct an analysis of the costs per participant of
4 evidence-based programs by the juvenile courts and by December 1, 2009,
5 shall report the results of this analysis to the juvenile
6 rehabilitation administration, the juvenile courts, office of the
7 administrator of the courts, the office of financial management, and
8 the fiscal committees of the legislature.

9 (8) \$3,700,000 of the Washington auto theft prevention authority
10 account--state appropriation is provided solely for competitive grants
11 to community-based organizations to provide at-risk youth intervention
12 services, including but not limited to, case management, employment
13 services, educational services, and street outreach intervention
14 programs. Projects funded should focus on preventing, intervening, and
15 suppressing behavioral problems and violence while linking at-risk
16 youth to pro-social activities. The department may not expend more
17 than \$1,850,000 per fiscal year. The costs of administration must not
18 exceed four percent of appropriated funding for each grant recipient.
19 Each entity receiving funds must report to the juvenile rehabilitation
20 administration on the number and types of youth served, the services
21 provided, and the impact of those services upon the youth and the
22 community.

23 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
24 **SERVICES--MENTAL HEALTH PROGRAM**

25 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

26	General Fund--State Appropriation (FY 2010)	\$266,677,000
27	General Fund--State Appropriation (FY 2011)	\$296,619,000
28	General Fund--Federal Appropriation	\$463,180,000
29	General Fund--Private/Local Appropriation	\$14,868,000
30	TOTAL APPROPRIATION	\$1,041,344,000

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

33 (a) \$113,689,000 of the general fund--state appropriation for
34 fiscal year 2010 and \$113,689,000 of the general fund--state
35 appropriation for fiscal year 2011 are provided solely for persons and
36 services not covered by the medicaid program. This is a reduction of
37 \$11,606,000 each fiscal year from the nonmedicaid funding that was

1 allocated for expenditure by regional support networks during fiscal
2 year 2009 prior to supplemental budget reductions. This \$11,606,000
3 reduction shall be distributed among regional support networks
4 proportional to each network's share of the total state population. To
5 the extent possible, levels of regional support network spending shall
6 be maintained in the following priority order: (i) Crisis and
7 commitment services; (ii) community inpatient services; and (iii)
8 residential care services, including personal care and emergency
9 housing assistance.

10 (b) \$16,900,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$16,900,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for the department and regional
13 support networks to contract for implementation of high-intensity
14 program for active community treatment (PACT) teams, and other proven
15 program approaches that the department concurs will enable the regional
16 support network to achieve significant reductions in the number of beds
17 the regional support network would otherwise need to use at the state
18 hospitals.

19 (c) The number of nonforensic beds allocated for use by regional
20 support networks at eastern state hospital shall be 192 per day. The
21 number of nonforensic beds allocated for use by regional support
22 networks at western state hospital shall be 617 per day during the
23 first quarter of fiscal year 2010, and 587 per day thereafter. Beds in
24 the program for adaptive living skills (PALS) are not included in the
25 preceding bed allocations. The department shall separately charge
26 regional support networks for persons served in the PALS program.

27 (d) From the general fund--state appropriations in this subsection,
28 the secretary of social and health services shall assure that regional
29 support networks reimburse the aging and disability services
30 administration for the general fund--state cost of medicaid personal
31 care services that enrolled regional support network consumers use
32 because of their psychiatric disability.

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

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

4 (g) \$750,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$750,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely to continue performance-based
7 incentive contracts to provide appropriate community support services
8 for individuals with severe mental illness who were discharged from the
9 state hospitals as part of the expanding community services initiative.
10 These funds will be used to enhance community residential and support
11 services provided by regional support networks through other state and
12 federal funding.

13 (h) \$1,500,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$1,500,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the Spokane regional support
16 network to implement services to reduce utilization and the census at
17 eastern state hospital. Such services shall include:

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

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

24 (iii) Mental health services provided in nursing facilities to
25 individuals with dementia, and consultation to facility staff treating
26 those individuals; and

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

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

32 (i) The department shall return to the Spokane regional support
33 network fifty percent of the amounts assessed against the network
34 during the last six months of calendar year 2009 for state hospital
35 utilization in excess of its contractual limit. The regional support
36 network shall use these funds for operation during its initial months
37 of a new sixteen-bed evaluation and treatment facility that will enable

1 the network to reduce its use of the state hospital, and for diversion
2 and community support services for persons with dementia who would
3 likely otherwise require care at the state hospital.

4 (j) The department is directed to identify and implement program
5 efficiencies and benefit changes in its delivery of medicaid managed-
6 care services that are sufficient to operate within the state and
7 federal appropriations in this section. Such actions may include but
8 are not limited to methods such as adjusting the care access standards;
9 improved utilization management of ongoing, recurring, and high-
10 intensity services; and increased uniformity in provider payment rates.
11 The department shall ensure that the capitation rate adjustments
12 necessary to accomplish these efficiencies and changes are distributed
13 uniformly and equitably across all regional support networks statewide.
14 The department is directed to report to the relevant legislative fiscal
15 and policy committees at least thirty days prior to implementing rate
16 adjustments reflecting these changes.

17 (k) In developing the new medicaid managed care rates under which
18 the public mental health managed care system will operate during the
19 five years beginning in fiscal year 2011, the department should seek to
20 estimate the reasonable and necessary cost of efficiently and
21 effectively providing a comparable set of medically necessary mental
22 health benefits to persons of different acuity levels regardless of
23 where in the state they live. Actual prior period spending in a
24 regional administrative area shall not be a key determinant of future
25 payment rates. The department shall report to the office of financial
26 management and to the relevant fiscal and policy committees of the
27 legislature on its proposed new waiver and mental health managed care
28 rate-setting approach by October 1, 2009, and again at least sixty days
29 prior to implementation of new capitation rates.

30 (l) \$1,529,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$1,529,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely to reimburse Pierce and Spokane
33 counties for the cost of conducting 180-day commitment hearings at the
34 state psychiatric hospitals.

35 (m) The legislature intends and expects that regional support
36 networks and contracted community mental health agencies shall make all
37 possible efforts to, at a minimum, maintain current compensation levels
38 of direct care staff. Such efforts shall include, but not be limited

1 to, identifying local funding that can preserve client services and
2 staff compensation, achieving administrative reductions at the regional
3 support network level, and engaging stakeholders on cost-savings ideas
4 that maintain client services and staff compensation. For purposes of
5 this section, "direct care staff" means persons employed by community
6 mental health agencies whose primary responsibility is providing direct
7 treatment and support to people with mental illness, or whose primary
8 responsibility is providing direct support to such staff in areas such
9 as client scheduling, client intake, client reception, client records-
10 keeping, and facilities maintenance.

11 (2) INSTITUTIONAL SERVICES

12	General Fund--State Appropriation (FY 2010)	\$120,679,000
13	General Fund--State Appropriation (FY 2011)	\$125,017,000
14	General Fund--Federal Appropriation	\$151,300,000
15	General Fund--Private/Local Appropriation	\$65,870,000
16	TOTAL APPROPRIATION	\$462,866,000

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

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

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

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

36 (3) SPECIAL PROJECTS

37	General Fund--State Appropriation (FY 2010)	\$1,819,000
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1	General Fund--State Appropriation (FY 2011)	\$1,812,000
2	General Fund--Federal Appropriation	\$2,142,000
3	TOTAL APPROPRIATION	\$5,773,000

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

11 (4) PROGRAM SUPPORT

12	General Fund--State Appropriation (FY 2010)	\$4,123,000
13	General Fund--State Appropriation (FY 2011)	\$4,155,000
14	General Fund--Federal Appropriation	\$7,330,000
15	TOTAL APPROPRIATION	\$15,608,000

16 (a) Within the amounts appropriated in this section, the department
17 shall provide reports to the legislature and governor on May 31, 2010,
18 and January 31, 2011, concerning the waiting periods experienced for
19 competency evaluations and competency restoration treatment during the
20 nine month periods ending on March 31, 2010, and December 31, 2010,
21 respectively.

22 The reports shall state, by county, the average number of days over
23 the reporting period spent by the defendant between the signing of the
24 court order and distribution of report: (i) In jail; (ii) in the state
25 hospital; and (iii) waiting for the order and supporting documents to
26 be received by the department. By state hospital catchment, the report
27 shall also state these averages on a monthly basis. With respect to
28 competency evaluations, the report shall separate evaluations ordered
29 to occur in a jail, evaluations ordered to occur in the community,
30 evaluations ordered to occur in a state hospital, and evaluations
31 transferred to the state hospital which were originally ordered to
32 occur in another setting. The department shall state the percentage of
33 defendants that were found by the department to be competent following
34 each type of evaluation. The department shall also state how many
35 evaluations referrals contained a request for evaluation of insanity
36 and diminished capacity, and what proportion of defendants for whom

1 this evaluation was requested were found by the department to meet the
2 criteria for these defenses.

3 With respect to competency restoration, the report shall separate
4 restoration referrals by stage of competency restoration and state the
5 percentage of defendants found by the department to be competent at the
6 conclusion of each stage.

7 The report shall identify factors which have caused delays in the
8 completion of competency evaluations, and analyze a sample of cases in
9 which evaluation time exceeded the standard deviation. The report
10 shall provide recommendations as to what measures state or local
11 governments may take to improve the speed of competency evaluations,
12 and identify any statutory or regulatory barriers that obstruct the
13 evaluation process.

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

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

24 (1) COMMUNITY SERVICES

25	General Fund--State Appropriation (FY 2010)	\$313,050,000
26	General Fund--State Appropriation (FY 2011)	\$368,549,000
27	General Fund--Federal Appropriation	\$851,610,000
28	TOTAL APPROPRIATION	\$1,533,209,000

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

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

35 (b) Amounts appropriated in this section reflect a reduction to
36 funds appropriated for in-home care. The department shall reduce the
37 number of in-home hours authorized. The reduction shall be scaled

1 based on the acuity level of care recipients. The largest hour
2 reductions shall be to lower acuity patients and the smallest hour
3 reductions shall be to higher acuity patients. In doing so, the
4 department shall comply with all maintenance of effort requirements
5 contained in the American reinvestment and recovery act.

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

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

1 each fiscal year quarter, the number of persons served with these
2 additional community services, where they were residing, what kinds of
3 services they were receiving prior to placement, and the actual
4 expenditures for all community services to support these clients.

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

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

30 (f) \$302,000 of the general fund--state appropriation for fiscal
31 year 2010, \$831,000 of the general fund--state appropriation for fiscal
32 year 2011, and \$1,592,000 of the general fund--federal appropriation
33 are provided solely for health care benefits pursuant to a collective
34 bargaining agreement negotiated with the exclusive bargaining
35 representative of individual providers established under RCW
36 74.39A.270.

37 (g)(i) \$682,000 of the general fund--state appropriation for fiscal
38 year 2010, \$1,651,000 of the general fund--state appropriation for

1 fiscal year 2011, and \$1,678,000 of the general fund--federal
2 appropriation are provided solely for the state's contribution to the
3 training partnership, as provided in RCW 74.39A.360, pursuant to a
4 collective bargaining agreement negotiated with the exclusive
5 bargaining representative of individual providers established under RCW
6 74.39A.270.

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

12 (iii) Expenditures for the purposes specified in this subsection
13 (g) shall not exceed the amounts provided in this subsection.

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

19 (i) Within the amounts appropriated in this subsection (1), the
20 department shall implement all necessary rules to facilitate the
21 transfer to a department home and community-based services (HCBS)
22 waiver of all eligible individuals who (i) currently receive services
23 under the existing state-only employment and day program or the
24 existing state-only residential program, and (ii) otherwise meet the
25 waiver eligibility requirements. The amounts appropriated are
26 sufficient to ensure that all individuals currently receiving services
27 under the state-only employment and day and state-only residential
28 programs who are not transferred to a department HCBS waiver will
29 continue to receive services.

30 (j) Adult day health services shall only be authorized for in-home
31 clients.

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

1 (l) The department shall not pay a home care agency licensed under
2 chapter 70.127 RCW for personal care services provided by a family
3 member, pursuant to Substitute House Bill No. 2361 (modifying state
4 payments for in-home care).

5 (m) Within the appropriations of this section, the department shall
6 reduce all seventeen payment levels of the seventeen-level payment
7 system from the fiscal year 2009 levels for boarding homes, boarding
8 homes contracted as assisted living, and adult family homes. Excluded
9 from the reductions are exceptional care rate add-ons. The long-term
10 care program may develop add-ons to pay exceptional care rates to adult
11 family homes and boarding homes with specialty contracts to provide
12 support for the following specifically eligible clients:

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

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

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

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

23 (n) The amounts appropriated in this subsection reflect a reduction
24 in funds available for employment and day services. In administering
25 this reduction the department shall negotiate with counties and their
26 vendors so that this reduction, to the greatest extent possible, is
27 achieved by reducing vendor rates and allowable contract administrative
28 charges (overhead) and not through reductions to direct client services
29 or direct service delivery or programs.

30 (o) Within the amounts allotted for employment and day services in
31 this section, the department shall prioritize the funding of employment
32 services for students graduating from high school during fiscal years
33 2010 and 2011. However, nothing in this subsection is intended to
34 displace services for other recipients of employment services.

35 (p) As part of the needs assessment instrument, the department may
36 collect data on family income for minor children with developmental
37 disabilities and all individuals who are receiving state-only funded

1 services. The department may ensure that this information is collected
2 as part of the client assessment process.

3 (q) Within the amounts appropriated in this section, waiver clients
4 must receive employment and day services as authorized by their waiver,
5 such as pathway to employment, while waiting for paid employment to be
6 developed. The department shall establish and maintain a consistent
7 proposed policy for minimum direct service hours for clients, minimum
8 hours of support, time frames for seeking paid employment, and services
9 provided under pathway to employment while paid employment is sought.
10 In order to maximize the number of clients served, the department may
11 serve additional nonwaiver clients with unspent funds for waiver
12 clients, provided the total projected carry-forward expenditures do not
13 exceed the amounts estimated.

14 (2) INSTITUTIONAL SERVICES

15	General Fund--State Appropriation (FY 2010)	\$61,612,000
16	General Fund--State Appropriation (FY 2011)	\$74,185,000
17	General Fund--Federal Appropriation	\$202,160,000
18	General Fund--Private/Local Appropriation	\$22,441,000
19	TOTAL APPROPRIATION	\$360,398,000

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

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

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

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

37 (d) In addition to other reductions, the appropriations in this
38 subsection reflect reductions targeted specifically to state government

1 administrative costs. These administrative reductions shall be
2 achieved, to the greatest extent possible, by reducing those
3 administrative costs that do not affect direct client services or
4 direct service delivery or programs.

5 (3) PROGRAM SUPPORT

6	General Fund--State Appropriation (FY 2010)	\$1,428,000
7	General Fund--State Appropriation (FY 2011)	\$1,388,000
8	General Fund--Federal Appropriation	\$1,372,000
9	TOTAL APPROPRIATION	\$4,188,000

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

17 (4) SPECIAL PROJECTS

18	General Fund--State Appropriation (FY 2010)	\$15,000
19	General Fund--State Appropriation (FY 2011)	\$15,000
20	General Fund--Federal Appropriation	\$21,066,000
21	TOTAL APPROPRIATION	\$21,096,000

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

25 **NEW SECTION. Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
26 **SERVICES--AGING AND ADULT SERVICES PROGRAM**

27	General Fund--State Appropriation (FY 2010)	\$585,667,000
28	General Fund--State Appropriation (FY 2011)	\$698,622,000
29	General Fund--Federal Appropriation	\$1,814,099,000
30	General Fund--Private/Local Appropriation	\$20,373,000
31	Traumatic Brain Injury Account--State Appropriation	\$1,816,000
32	TOTAL APPROPRIATION	\$3,120,577,000

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

35 (1) For purposes of implementing chapter 74.46 RCW, the weighted
36 average nursing facility payment rate shall not exceed \$156.37 for

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

15 (2) In accordance with chapter 74.46 RCW, the department shall
16 issue no additional certificates of capital authorization for fiscal
17 year 2010 and no new certificates of capital authorization for fiscal
18 year 2011.

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

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

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

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

37 (c) Persons with co-occurring mental illness and long-term care

1 needs who are eligible for expanded community services and who might
2 otherwise require state and local psychiatric hospital care.

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

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

14 (6) \$536,000 of the general fund--state appropriation for fiscal
15 year 2010, \$1,477,000 of the general fund--state appropriation for
16 fiscal year 2011, and \$2,830,000 of the general fund--federal
17 appropriation are provided solely for health care benefits pursuant to
18 a collective bargaining agreement negotiated with the exclusive
19 bargaining representative of individual providers established under RCW
20 74.39A.270.

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

29 (b) \$330,000 of the general fund--state appropriation for fiscal
30 year 2010, \$660,000 of the general fund--state appropriation for fiscal
31 year 2011, and \$810,000 of the general fund--federal appropriation are
32 provided solely for transfer from the department to the training
33 partnership, as provided in RCW 74.39A.360, for infrastructure and
34 instructional costs associated with training of individual providers,
35 pursuant to a collective bargaining agreement negotiated with the
36 exclusive bargaining representative of individual providers established
37 under RCW 74.39A.270.

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

6 (d) Expenditures for the purposes specified in this subsection
7 shall not exceed the amounts provided in this subsection.

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

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

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

19 (11) \$3,955,000 of the general fund--state appropriation for fiscal
20 year 2010, \$4,239,000 of the general fund--state appropriation for
21 fiscal year 2011, and \$10,190,000 of the general fund--federal
22 appropriation are provided solely for the continued operation of
23 community residential and support services for persons who are older
24 adults or who have co-occurring medical and behavioral disorders and
25 who have been discharged or diverted from a state psychiatric hospital.
26 These funds shall be used to serve individuals whose treatment needs
27 constitute substantial barriers to community placement, who no longer
28 require active psychiatric treatment at an inpatient hospital level of
29 care, and who no longer meet the criteria for inpatient involuntary
30 commitment. Coordination of these services will be done in partnership
31 between the mental health program and the aging and disability services
32 administration.

33 (12) Within the funds provided, the department shall continue to
34 provide an add-on per medicaid resident day per facility not to exceed
35 \$1.57. The add-on shall be used to increase wages, benefits, and/or
36 staffing levels for certified nurse aides; or to increase wages and/or
37 benefits for dietary aides, housekeepers, laundry aides, or any other
38 category of worker whose statewide average dollars-per-hour wage was

1 less than \$15 in calendar year 2008, according to cost report data.
2 The add-on may also be used to address resulting wage compression for
3 related job classes immediately affected by wage increases to low-wage
4 workers. The department shall continue reporting requirements and a
5 settlement process to ensure that the funds are spent according to this
6 subsection. The department shall adopt rules to implement the terms of
7 this subsection.

8 (13) \$1,840,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$1,877,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for operation of the volunteer
11 chore services program.

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

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

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

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

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

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

35 (16) The department shall contract for housing with service models,
36 such as cluster care, to create efficiencies in service delivery and
37 responsiveness to unscheduled personal care needs by clustering hours
38 for clients that live in close proximity to each other.

1 (17) The department shall not pay a home care agency licensed under
2 chapter 70.127 RCW for personal care services provided by a family
3 member, pursuant to Substitute House Bill No. 2361 (modifying state
4 payments for in-home care).

5 (18) \$204,000 of the general fund--state appropriation for fiscal
6 year 2010, \$1,099,000 of the general fund--state appropriation for
7 fiscal year 2011, and \$1,697,000 of the general fund--federal
8 appropriation are provided solely to implement Engrossed House Bill No.
9 2194 (extraordinary medical placement for offenders). The department
10 shall work in partnership with the department of corrections to
11 identify services and find placements for offenders who are released
12 through the extraordinary medical placement program. The department
13 shall collaborate with the department of corrections to identify and
14 track cost savings to the department of corrections, including medical
15 cost savings and to identify and track expenditures incurred by the
16 aging and disability services program for community services and by the
17 medical assistance program for medical expenses. A joint report
18 regarding the identified savings and expenditures shall be provided to
19 the office of financial management and the appropriate fiscal
20 committees of the legislature by November 30, 2010. If this bill is
21 not enacted by June 30, 2009, the amounts provided in this subsection
22 shall lapse.

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

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

31	General Fund--State Appropriation (FY 2010)	\$557,621,000
32	General Fund--State Appropriation (FY 2011)	\$588,286,000
33	General Fund--Federal Appropriation	\$1,140,367,000
34	General Fund--Private/Local Appropriation	\$27,920,000
35	Administrative Contingency Account--State	
36	Appropriation	\$29,136,000
37	TOTAL APPROPRIATION	\$2,343,330,000

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

3 (1) \$303,196,000 of the general fund--state appropriation for
4 fiscal year 2010, \$309,755,000 of the general fund--state appropriation
5 for fiscal year 2011, \$29,136,000 of the administrative contingency
6 account--state appropriation, and \$778,606,000 of the general fund--
7 federal appropriation are provided solely for all components of the
8 WorkFirst program. The department shall use moneys from the
9 administrative contingency account for WorkFirst job placement services
10 provided by the employment security department. Within the amounts
11 provided for the WorkFirst program, the department may provide
12 assistance using state-only funds for families eligible for temporary
13 assistance for needy families. In addition, within the amounts
14 provided for WorkFirst the department shall:

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

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

24 (c) Submit a report electronically by October 1, 2009, to the
25 fiscal committees of the legislature containing a spending plan for the
26 WorkFirst program. The plan shall identify how spending levels in the
27 2009-2011 biennium will be adjusted to stay within available federal
28 grant levels and the appropriated state-fund levels;

29 (d) Provide quarterly fiscal reports to the office of financial
30 management and the legislative fiscal committees detailing information
31 on the amount expended from general fund--state and general fund--
32 federal by activity;

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

35 (2) The department and the office of financial management shall
36 electronically report quarterly the expenditures, maintenance of effort
37 allotments, expenditure amounts, and caseloads for the WorkFirst
38 program to the legislative fiscal committees.

1 (3) \$84,856,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$95,173,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for cash assistance and other
4 services to recipients in the general assistance--unemployable program.
5 Within these amounts:

6 (a) The department shall aggressively pursue opportunities to
7 transfer general assistance unemployable clients to general assistance
8 expedited coverage and to facilitate client applications for federal
9 supplemental security income when the client's incapacities indicate
10 that he or she would be likely to meet the federal disability criteria
11 for supplemental security income. The department shall initiate and
12 file the federal supplemental security income interim agreement as
13 quickly as possible in order to maximize the recovery of federal funds;

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

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

23 (d) By July 1, 2009, the department shall enter into an interagency
24 agreement with the department of veterans' affairs to establish a
25 process for referral of veterans who may be eligible for veteran's
26 services. This agreement must include outstationing department of
27 veterans' affairs staff in selected community service office locations
28 in King and Pierce counties to facilitate applications for veterans'
29 services; and

30 (e) In addition to any earlier evaluation that may have been
31 conducted, the department shall intensively evaluate those clients who
32 have been receiving general assistance unemployable benefits for twelve
33 months or more as of July 1, 2009, or thereafter, if the available
34 medical and incapacity related evidence indicates that the client is
35 unlikely to meet the disability standard for federal supplemental
36 security income benefits. The evaluation shall identify services
37 necessary to eliminate or minimize barriers to employment, including
38 mental health treatment, substance abuse treatment and vocational

1 rehabilitation services. The department shall expedite referrals to
2 chemical dependency treatment, mental health and vocational
3 rehabilitation services for these clients.

4 (f) The appropriations in this subsection reflect a change in the
5 earned income disregard policy for general assistance unemployable
6 clients. It is the intent of the legislature that the department shall
7 adopt the temporary assistance for needy families earned income policy
8 for general assistance unemployable.

9 (4) The department shall report to the legislature on outcomes of
10 the reorganization of the office of refugee and immigrant assistance.
11 The report shall include information on efficiencies and outcomes
12 related to client services, training and technical assistance to
13 providers, and administrative oversight prior to the year of the
14 reorganization compared to the outcomes achieved following the
15 reorganization. In addition to self reporting the department shall
16 solicit comments relevant to this report from service providers and the
17 report shall include their responses. To increase transparency and
18 understanding of the office's funding practices, the report shall also
19 include information on the base budgets of funding sources for services
20 provided by the office of refugee and immigrant assistance. A
21 preliminary report shall be due to the legislature by December 1, 2009.
22 A final report shall be due June 1, 2010.

23 (5) \$750,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$750,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely for naturalization services.

26 (6)(a) \$3,550,000 of the general fund--state appropriation for
27 fiscal year 2010 is provided solely for refugee employment services, of
28 which \$2,650,000 is provided solely for the department to pass through
29 to statewide refugee assistance organizations for limited English
30 proficiency pathway services; and \$3,550,000 of the general fund--state
31 appropriation for fiscal year 2011 is provided solely for refugee
32 employment services, of which \$2,650,000 is provided solely for the
33 department to pass through to statewide refugee assistance
34 organizations for limited English proficiency pathway services.

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

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

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

9	General Fund--State Appropriation (FY 2010)	\$82,117,000
10	General Fund--State Appropriation (FY 2011)	\$84,772,000
11	General Fund--Federal Appropriation	\$145,671,000
12	General Fund--Private/Local Appropriation	\$2,719,000
13	Criminal Justice Treatment Account--State	
14	Appropriation	\$17,747,000
15	Problem Gambling Account--State Appropriation	\$1,459,000
16	TOTAL APPROPRIATION	\$334,485,000

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

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

24 (2) Within the amounts appropriated in this section, the department
25 shall continue to provide for chemical dependency treatment services
26 for adult medicaid eligible and general assistance-unemployable
27 patients.

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

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

36	General Fund--State Appropriation (FY 2010)	\$1,597,387,000
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1	General Fund--State Appropriation (FY 2011)	\$1,984,797,000
2	General Fund--Federal Appropriation	\$5,210,672,000
3	General Fund--Private/Local Appropriation	\$12,903,000
4	Emergency Medical Services and Trauma Care Systems	
5	Trust Account--State Appropriation	\$15,076,000
6	Tobacco Prevention and Control Account--	
7	State Appropriation	\$3,766,000
8	TOTAL APPROPRIATION	\$8,824,601,000

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

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

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

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

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

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

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

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

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

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

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

1 204(1) of this act, are provided solely for state grants for the
2 participating hospitals. Sufficient amounts are appropriated in this
3 section for the remaining state grants for the participating hospitals.

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

7 (10) Sufficient amounts are appropriated in this section for the
8 department to continue podiatry services for medicaid-eligible adults.

9 (11) Sufficient amounts are appropriated in this section for the
10 department to provide an adult dental benefit that is at least
11 equivalent to the benefit provided in the 2003-05 biennium.

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

18 (13) The department shall require managed health care systems that
19 have contracts with the department to serve medical assistance clients
20 to limit any reimbursements or payments the systems make to providers
21 not employed by or under contract with the systems to no more than the
22 medical assistance rates paid by the department to providers for
23 comparable services rendered to clients in the fee-for-service delivery
24 system.

25 (14) Appropriations in this section are sufficient for the
26 department to continue to fund family planning nurses in the community
27 services offices.

28 (15) The department, in coordination with stakeholders, will
29 conduct an analysis of potential savings in utilization of home
30 dialysis. The department shall present its findings to the appropriate
31 house of representatives and senate committees by December 2010.

32 (16) A maximum of \$166,875,000 of the general fund--state
33 appropriation and \$38,389,000 of the general fund--federal
34 appropriation may be expended in the fiscal biennium for the general
35 assistance-unemployable medical program, and these amounts are provided
36 solely for this program. Of these amounts, \$10,749,000 of the general
37 fund--state appropriation for fiscal year 2010 and \$10,892,000 of the
38 general fund--federal appropriation are provided solely for payments to

1 hospitals for providing outpatient services to low income patients who
2 are recipients of general assistance-unemployable. Pursuant to RCW
3 74.09.035, the department shall not expend for the general assistance
4 medical care services program any amounts in excess of the amounts
5 provided in this subsection.

6 (17) If the department determines that it is feasible within the
7 amounts provided in subsection (16) of this section, and without the
8 loss of federal disproportionate share hospital funds, the department
9 shall contract with the carrier currently operating a managed care
10 pilot project for the provision of medical care services to general
11 assistance-unemployable clients. Mental health services shall be
12 included in the services provided through the managed care system. If
13 the department determines that it is feasible, effective October 1,
14 2009, in addition to serving clients in the pilot counties, the carrier
15 shall expand managed care services to clients residing in at least the
16 following counties: Spokane, Yakima, Chelan, Kitsap, and Cowlitz. If
17 the department determines that it is feasible, the carrier shall
18 complete implementation into the remaining counties. Total per person
19 costs to the state, including outpatient and inpatient services and any
20 additional costs due to stop loss agreements, shall not exceed the per
21 capita payments projected for the general assistance-unemployable
22 eligibility category, by fiscal year, in the February 2009 medical
23 assistance expenditures forecast. The department, in collaboration
24 with the carrier, shall seek to improve the transition rate of general
25 assistance clients to the federal supplemental security income program.

26 (18) The department shall evaluate the impact of the use of a
27 managed care delivery and financing system on state costs and outcomes
28 for general assistance medical clients. Outcomes measured shall
29 include state costs, utilization, changes in mental health status and
30 symptoms, and involvement in the criminal justice system.

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

35 (20) State funds shall not be used by hospitals for advertising
36 purposes.

37 (21) The department shall seek a medicaid state plan amendment to
38 create a professional services supplemental payment program for

1 University of Washington medicine professional providers no later than
2 July 1, 2009. The department shall apply federal rules for identifying
3 the shortfall between current fee-for-service medicaid payments to
4 participating providers and the applicable federal upper payment limit.
5 Participating providers shall be solely responsible for providing the
6 local funds required to obtain federal matching funds. Any incremental
7 costs incurred by the department in the development, implementation,
8 and maintenance of this program will be the responsibility of the
9 participating providers. Participating providers will retain the full
10 amount of supplemental payments provided under this program, net of any
11 potential costs for any related audits or litigation brought against
12 the state. The department shall report to the governor and the
13 legislative fiscal committees on the prospects for expansion of the
14 program to other qualifying providers as soon as feasibility is
15 determined but no later than December 31, 2009. The report will
16 outline estimated impacts on the participating providers, the
17 procedures necessary to comply with federal guidelines, and the
18 administrative resource requirements necessary to implement the
19 program. The department will create a process for expansion of the
20 program to other qualifying providers as soon as it is determined
21 feasible by both the department and providers but no later than June
22 30, 2010.

23 (22) \$9,350,000 of the general fund--state appropriation for fiscal
24 year 2010, \$8,313,000 of the general fund--state appropriation for
25 fiscal year 2011, and \$20,371,000 of the general fund--federal
26 appropriation are provided solely for development and implementation of
27 a replacement system for the existing medicaid management information
28 system. The amounts provided in this subsection are conditioned on the
29 department satisfying the requirements of section 902 of this act.

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

35 (24) Pursuant to 42 U.S.C. Sec. 1396(a)(25), the department shall
36 pursue insurance claims on behalf of medicaid children served through
37 its in-home medically intensive child program under WAC 388-551-3000.

1 The department shall report to the Legislature by December 31, 2009, on
2 the results of its efforts to recover such claims.

3 (25) The department may, on a case-by-case basis and in the best
4 interests of the child, set payment rates for medically intensive home
5 care services to promote access to home care as an alternative to
6 hospitalization. Expenditures related to these increased payments
7 shall not exceed the amount the department would otherwise pay for
8 hospitalization for the child receiving medically intensive home care
9 services.

10 (26) \$425,000 of the general fund--state appropriation for fiscal
11 year 2010, \$425,000 of the general fund--state appropriation for fiscal
12 year 2011, and \$1,580,000 of the general fund--federal appropriation
13 are provided solely to continue children's health coverage outreach and
14 education efforts under RCW 74.09.470. These efforts shall rely on
15 existing relationships and systems developed with local public health
16 agencies, health care providers, public schools, the women, infants,
17 and children program, the early childhood education and assistance
18 program, child care providers, newborn visiting nurses, and other
19 community-based organizations. The department shall seek public-
20 private partnerships and federal funds that are or may become available
21 to provide on-going support for outreach and education efforts under
22 the federal children's health insurance program reauthorization act of
23 2009.

24 (27) The department, in conjunction with the office of financial
25 management, shall reduce outpatient and inpatient hospital rates and
26 implement a prorated inpatient payment policy. In determining the
27 level of reductions needed, the department shall include in its
28 calculations services paid under fee-for-service, managed care, and
29 certified public expenditure payment methods; but reductions shall not
30 apply to payments for psychiatric inpatient services or payments to
31 critical access hospitals.

32 (28) The department will pursue a competitive procurement process
33 for antihemophilic products, emphasizing evidence-based medicine and
34 protection of patient access without significant disruption in
35 treatment.

36 (29) The department will pursue several strategies towards reducing
37 pharmacy expenditures including but not limited to increasing generic

1 prescription drug utilization by 20 percentage points and promoting
2 increased utilization of the existing mail-order pharmacy program.

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

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

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

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

19 (34) \$79,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$53,000 of the general fund--federal appropriation are
21 provided solely to implement Substitute House Bill No. 1845 (medical
22 support obligations).

23 (35) \$63,000 of the general fund--state appropriation for fiscal
24 year 2010, \$583,000 of the general fund--state appropriation for fiscal
25 year 2011, and \$864,000 of the general fund--federal appropriation are
26 provided solely to implement Engrossed House Bill No. 2194
27 (extraordinary medical placement for offenders). The department shall
28 work in partnership with the department of corrections to identify
29 services and find placements for offenders who are released through the
30 extraordinary medical placement program. The department shall
31 collaborate with the department of corrections to identify and track
32 cost savings to the department of corrections, including medical cost
33 savings, and to identify and track expenditures incurred by the aging
34 and disability services program for community services and by the
35 medical assistance program for medical expenses. A joint report
36 regarding the identified savings and expenditures shall be provided to
37 the office of financial management and the appropriate fiscal

1 committees of the legislature by November 30, 2010. If this bill is
2 not enacted by June 30, 2009, the amounts provided in this subsection
3 shall lapse.

4 (36) Sufficient amounts are provided in this section to provide
5 full benefit dual eligible beneficiaries with medicare part D
6 prescription drug copayment coverage in accordance with RCW 74.09.520.

7 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
8 **SERVICES--VOCATIONAL REHABILITATION PROGRAM**

9	General Fund--State Appropriation (FY 2010)	\$10,452,000
10	General Fund--State Appropriation (FY 2011)	\$10,127,000
11	General Fund--Federal Appropriation	\$83,553,000
12	Telecommunications Devices for the Hearing and	
13	Speech Impaired--State Appropriation	\$1,979,000
14	TOTAL APPROPRIATION	\$106,111,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: The vocational rehabilitation program
17 shall coordinate closely with the economic services program to serve
18 general assistance unemployable clients who are referred for
19 eligibility determination and vocational rehabilitation services, and
20 shall make every effort, within the requirements of the federal
21 rehabilitation act of 1973, to serve these clients.

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

24	General Fund--State Appropriation (FY 2010)	\$54,027,000
25	General Fund--State Appropriation (FY 2011)	\$53,137,000
26	TOTAL APPROPRIATION	\$107,164,000

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

29	General Fund--State Appropriation (FY 2010)	\$34,549,000
30	General Fund--State Appropriation (FY 2011)	\$34,843,000
31	General Fund--Federal Appropriation	\$55,407,000
32	General Fund--Private/Local Appropriation	\$1,526,000
33	TOTAL APPROPRIATION	\$126,325,000

34 The appropriations in this section are subject to the following
35 conditions and limitations: In addition to other reductions, the

1 appropriations in this section reflect reductions targeted specifically
2 to state government administrative costs. These administrative
3 reductions shall be achieved, to the greatest extent possible, by
4 reducing those administrative costs that do not affect direct client
5 services or direct service delivery or programs.

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

12 (2) \$445,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$445,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for funding of the teamchild
15 project through the governor's juvenile justice advisory committee.

16 (3) \$178,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$178,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the juvenile detention
19 alternatives initiative.

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

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

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

32	General Fund--State Appropriation (FY 2010)	\$53,431,000
33	General Fund--State Appropriation (FY 2011)	\$53,472,000
34	General Fund--Federal Appropriation	\$49,494,000
35	TOTAL APPROPRIATION	\$156,397,000

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

2	General Fund--State Appropriation (FY 2010)	\$206,295,000
3	General Fund--State Appropriation (FY 2011)	\$182,138,000
4	General Fund--Federal Appropriation	\$6,302,000
5	State Health Care Authority Administration Account--	
6	State Appropriation	\$35,261,000
7	Medical Aid Account--State Appropriation	\$529,000
8	TOTAL APPROPRIATION	\$430,525,000

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

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

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

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

1 noncash-flow expenses such as, but not limited to, depreciation,
2 amortization, and home office deductions, as defined by the United
3 States internal revenue service; and (f) pursue repayment and civil
4 penalties from persons who have received excessive subsidies, as
5 provided in RCW 70.47.060(9).

6 (4) In order to maximize the funding appropriated for the basic
7 health plan, the health care authority is directed to make
8 modifications that will reduce the total number of subsidized enrollees
9 to approximately 65,000 by January 1, 2010. In addition to the reduced
10 enrollment, other modifications may include changes in enrollee premium
11 obligations, changes in benefits, enrollee cost-sharing, and
12 termination of the enrollment of individuals concurrently enrolled in
13 a medical assistance program as provided in Substitute House Bill No.
14 2341.

15 (5) \$250,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$250,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for the implementation of
18 Substitute Senate Bill No. 5360 (community collaboratives). If the
19 bill is not enacted by June 30, 2009, the amounts provided in this
20 section shall lapse.

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

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

26	General Fund--State Appropriation (FY 2010)	\$2,802,000
27	General Fund--State Appropriation (FY 2011)	\$2,814,000
28	General Fund--Federal Appropriation	\$1,299,000
29	TOTAL APPROPRIATION	\$6,915,000

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

32	Worker and Community Right-to-Know Account--	
33	State Appropriation	\$20,000
34	Accident Account--State Appropriation	\$18,453,000
35	Medical Aid Account--State Appropriation	\$18,453,000
36	TOTAL APPROPRIATION	\$36,926,000

1 NEW SECTION. **Sec. 217. FOR THE CRIMINAL JUSTICE TRAINING**

2 **COMMISSION**

3 General Fund--State Appropriation (FY 2010) \$19,146,000
4 General Fund--State Appropriation (FY 2011) \$19,176,000
5 General Fund--Private/Local Appropriation \$200,000
6 Death Investigations Account--State Appropriation \$148,000
7 Municipal Criminal Justice Assistance Account--
8 State Appropriation \$460,000
9 Washington Auto Theft Prevention Authority Account--
10 State Appropriation \$5,844,000
11 TOTAL APPROPRIATION \$44,974,000

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

14 (1) \$1,874,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$1,922,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for 10 additional basic law
17 enforcement academies in fiscal year 2010 and 10 additional basic law
18 enforcement academies in fiscal year 2011.

19 (2) \$1,191,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$1,191,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely for the Washington association of
22 sheriffs and police chiefs to continue to develop, maintain, and
23 operate the jail booking and reporting system (JBRS) and the statewide
24 automated victim information and notification system (SAVIN).

25 (3) \$5,000,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$5,000,000 of the general fund--state appropriation for
27 fiscal year 2011, are provided to the Washington association of
28 sheriffs and police chiefs solely to verify the address and residency
29 of registered sex offenders and kidnapping offenders under RCW
30 9A.44.130. The Washington association of sheriffs and police chiefs
31 shall:

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

- 35 (i) For level I offenders, every twelve months;
- 36 (ii) For level II offenders, every six months; and
- 37 (iii) For level III offenders, every three months.

1 For the purposes of this subsection, unclassified offenders and
2 kidnapping offenders shall be considered at risk level I unless in the
3 opinion of the local jurisdiction a higher classification is in the
4 interest of public safety.

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

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

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

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

23 NEW SECTION. **Sec. 218.** **FOR THE DEPARTMENT OF LABOR AND**
24 **INDUSTRIES**

25	General Fund--State Appropriation (FY 2010)	\$24,224,000
26	General Fund--State Appropriation (FY 2011)	\$25,237,000
27	General Fund--Federal Appropriation	\$100,000
28	General Fund--Federal Appropriation	\$10,000,000
29	Asbestos Account--State Appropriation	\$924,000
30	Electrical License Account--State Appropriation	\$43,162,000
31	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
32	Worker and Community Right-to-Know Account--	
33	State Appropriation	\$1,979,000
34	Public Works Administration Account--State Appropriation . .	\$5,764,000
35	Manufactured Home Installation Training Account--	
36	State Appropriation	\$138,000
37	Accident Account--State Appropriation	\$248,281,000

1	Accident Account--Federal Appropriation	\$13,622,000
2	Medical Aid Account--State Appropriation	\$249,537,000
3	Medical Aid Account--Federal Appropriation	\$3,186,000
4	Plumbing Certificate Account--State Appropriation	\$1,693,000
5	Pressure Systems Safety Account--State Appropriation	\$3,775,000
6	TOTAL APPROPRIATION	\$631,650,000

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

9 (1) Pursuant to RCW 43.135.055, the department is authorized to
10 increase fees related to factory assembled structures, contractor
11 registration, electricians, plumbers, asbestos removal, boilers,
12 elevators, and manufactured home installers. These increases are
13 necessary to support expenditures authorized in this section,
14 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW
15 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

16 (2) \$424,000 of the accident account--state appropriation and
17 \$76,000 of the medical aid account--state appropriation are provided
18 solely for implementation of a community agricultural worker safety
19 grant at the department of agriculture. The department shall enter
20 into an interagency agreement with the department of agriculture to
21 implement the grant.

22 (3) \$4,850,000 of the medical aid account--state appropriation is
23 provided solely to continue the program of safety and health as
24 authorized by RCW 49.17.210 to be administered under rules adopted
25 pursuant to chapter 34.05 RCW, provided that projects funded involve
26 workplaces insured by the medical aid fund, and that priority is given
27 to projects fostering accident prevention through cooperation between
28 employers and employees or their representatives.

29 (4) \$150,000 of the medical aid account--state appropriation is
30 provided solely for the department to contract with one or more
31 independent experts to evaluate and recommend improvements to the
32 rating plan under chapter 51.18 RCW, including analyzing how risks are
33 pooled, the effect of including worker premium contributions in
34 adjustment calculations, incentives for accident and illness
35 prevention, return-to-work practices, and other sound risk-management
36 strategies that are consistent with recognized insurance principles.

37 (5) The department shall continue to conduct utilization reviews of
38 physical and occupational therapy cases at the 24th visit. The

1 department shall continue to report performance measures and targets
2 for these reviews on the agency web site. The reports are due
3 September 30th for the prior fiscal year and must include the amount
4 spent and the estimated savings per fiscal year.

5 (6) The appropriations in this section reflect reductions in the
6 appropriations for the department of labor and industries'
7 administrative expenses. It is the intent of the legislature that
8 these reductions shall be achieved, to the greatest extent possible, by
9 reducing administrative costs only.

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

20 (8) \$194,000 of the accident account--state appropriation and
21 \$192,000 of the medical aid account--state appropriation are provided
22 solely for implementation of Senate Bill No. 5346 (health care
23 administrative procedures). If the bill is not enacted by June 30,
24 2009, the amounts provided in this subsection shall lapse.

25 (9) \$131,000 of the accident account--state appropriation and
26 \$128,000 of the medical aid account--state appropriation are provided
27 solely for implementation of Senate Bill No. 5613 (stop work orders).
28 If the bill is not enacted by June 30, 2009, the amounts provided in
29 this subsection shall lapse.

30 (10) \$68,000 of the accident account--state appropriation and
31 \$68,000 of the medical aid account--state appropriation are provided
32 solely for implementation of Senate Bill No. 5688 (registered domestic
33 partners). If the bill is not enacted by June 30, 2009, the amounts
34 provided in this subsection shall lapse.

35 (11) \$320,000 of the accident account--state appropriation and
36 \$147,000 of the medical aid account--state appropriation are provided
37 solely for implementation of Senate Bill No. 5873 (apprenticeship

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

3 (12) \$337,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$183,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for implementation of Senate Bill
6 No. 5895 (residential real property). If the bill is not enacted by
7 June 30, 2009, the amounts provided in this subsection shall lapse.

8 (13) \$394,000 of the accident account--state appropriation and
9 \$394,000 of the medical aid account--state appropriation are provided
10 solely for implementation of Senate Bill No. 6035 (retrospective rating
11 plans). If the bill is not enacted by June 30, 2009, the amounts
12 provided in this subsection shall lapse.

13 (14) \$269,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$183,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the implementation of
16 Engrossed Second Substitute House Bill No. 1393 (residential
17 construction). If the bill is not enacted by June 30, 2009, the
18 amounts provided in this subsection shall lapse.

19 (15) \$73,000 of the general fund--state appropriation for fiscal
20 year 2010, \$66,000 of the general fund--state appropriation for fiscal
21 year 2011, \$606,000 of the accident account--state appropriation, and
22 \$600,000 of the medical aid account--state appropriation are provided
23 solely for the implementation of House Bill No. 1555 (underground
24 economy). If the bill is not enacted by June 30, 2009, the amounts
25 provided in this subsection shall lapse.

26 (16) \$574,000 of the accident account--state appropriation and
27 \$579,000 of the medical account--state appropriation are provided
28 solely for the implementation of House Bill No. 1402 (industrial
29 insurance appeals). If the bill is not enacted by June 30, 2009, the
30 amounts provided in this subsection shall lapse.

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

33	General Fund--State Appropriation (FY 2010)	\$1,913,000
34	General Fund--State Appropriation (FY 2011)	\$1,917,000
35	TOTAL APPROPRIATION	\$3,830,000

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

2 (1) HEADQUARTERS

3 General Fund--State Appropriation (FY 2010) \$1,913,000
4 General Fund--State Appropriation (FY 2011) \$1,899,000
5 Charitable, Educational, Penal, and Reformatory
6 Institutions Account--State Appropriation \$10,000
7 TOTAL APPROPRIATION \$3,822,000

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

15 (2) FIELD SERVICES

16 General Fund--State Appropriation (FY 2010) \$4,885,000
17 General Fund--State Appropriation (FY 2011) \$4,943,000
18 General Fund--Federal Appropriation \$1,842,000
19 General Fund--Private/Local Appropriation \$3,491,000
20 Veterans Innovations Program Account--State
21 Appropriation \$648,000
22 Veteran Estate Management Account--Private/Local
23 Appropriation \$1,069,000
24 TOTAL APPROPRIATION \$16,878,000

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

27 (a) The department shall collaborate with the department of social
28 and health services to identify and assist eligible general assistance
29 unemployable clients to access the federal department of veterans
30 affairs benefits.

31 (b) \$648,000 of the veterans innovations program account--state
32 appropriation is provided solely for the department to continue support
33 for returning combat veterans through the veterans innovation program,
34 including emergency financial assistance through the defenders' fund
35 and long-term financial assistance through the competitive grant
36 program.

1 (c) In addition to other reductions, the appropriations in this
2 section reflect reductions targeted specifically to state government
3 administrative costs. These administrative reductions shall be
4 achieved, to the greatest extent possible, by reducing those
5 administrative costs that do not affect direct client services or
6 direct service delivery or programs.

7 (3) INSTITUTIONAL SERVICES

8	General Fund--State Appropriation (FY 2010)	\$3,638,000
9	General Fund--State Appropriation (FY 2011)	\$2,845,000
10	General Fund--Federal Appropriation	\$50,791,000
11	General Fund--Private/Local Appropriation	\$31,734,000
12	TOTAL APPROPRIATION	\$89,008,000

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

20 NEW SECTION. **Sec. 221. FOR THE HOME CARE QUALITY AUTHORITY**

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

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

25	General Fund--State Appropriation (FY 2010)	\$108,879,000
26	General Fund--State Appropriation (FY 2011)	\$84,169,000
27	General Fund--Federal Appropriation	\$480,871,000
28	General Fund--Private/Local Appropriation	\$138,846,000
29	Hospital Data Collection Account--State Appropriation	\$326,000
30	Health Professions Account--State Appropriation	\$76,218,000
31	Aquatic Lands Enhancement Account--State Appropriation	\$603,000
32	Emergency Medical Services and Trauma Care Systems	
33	Trust Account--State Appropriation	\$13,531,000
34	Safe Drinking Water Account--State Appropriation	\$2,723,000
35	Drinking Water Assistance Account--Federal	
36	Appropriation	\$22,817,000
37	Waterworks Operator Certification--State Appropriation	\$1,519,000

1	Drinking Water Assistance Administrative Account--	
2	State Appropriation	\$326,000
3	State Toxics Control Account--State Appropriation	\$3,600,000
4	Medical Test Site Licensure Account--State Appropriation	\$2,117,000
5	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
6	Public Health Supplemental Account--Private/Local	
7	Appropriation	\$3,525,000
8	Accident Account--State Appropriation	\$295,000
9	Medical Aid Account--State Appropriation	\$48,000
10	Tobacco Prevention and Control Account--	
11	State Appropriation	\$46,884,000
12	Biotoxin Account--State Appropriation	\$1,165,000
13	TOTAL APPROPRIATION	\$989,974,000

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

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

37 (2) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is
38 authorized to establish fees by the amount necessary to fully support

1 the cost of activities related to the administration of long-term care
2 worker certification. The department is further authorized to increase
3 fees by the amount necessary to implement the regulatory requirements
4 of the following bills: House Bill No. 1414 (health care assistants),
5 House Bill No. 1740 (dental residency licenses), and House Bill No.
6 1899 (retired active physician licenses).

7 (3) Within the amounts appropriated in this section, the department
8 of health shall continue operations of the pesticide incident report
9 and tracking review panel.

10 (4) \$764,000 of the health professions account--state appropriation
11 is provided solely for the medical quality assurance commission to
12 maintain disciplinary staff and associated costs sufficient to reduce
13 the backlog of disciplinary cases and to continue to manage the
14 disciplinary caseload of the commission.

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

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

32 (7) Beginning July 1, 2010, the department, in collaboration with
33 the department of social and health services, shall maximize the use of
34 existing federal funds, including section 317 of the federal public
35 health services act direct assistance as well as federal funds that may
36 become available under the American recovery and reinvestment act, in
37 order to continue to provide immunizations for low-income, nonmedicaid

1 eligible children up to three hundred percent of the federal poverty
2 level in state-sponsored health programs.

3 (8) The department shall eliminate outreach activities for the
4 health care directives registry and use the remaining amounts to
5 maintain the contract for the registry and minimal staffing necessary
6 to administer the basic entry functions for the registry.

7 (9) Funding in this section reflects a temporary reduction of
8 resources for the 2009-11 fiscal biennium for the state board of health
9 to conduct health impact reviews.

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

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

29 (12) \$16,000,000 of the tobacco prevention and control account--
30 state appropriation is provided solely for local health jurisdictions
31 to conduct core public health functions as defined in RCW 43.70.514.

32 (13) \$100,000 of the health professions account appropriation is
33 provided solely for implementation of Substitute House Bill No. 1414
34 (health care assistants). If the bill is not enacted by June 30, 2009,
35 the amount provided in this subsection shall lapse.

36 (14) \$42,000 of the health professions account--state appropriation
37 is provided solely to implement Substitute House Bill No. 1740

1 (dentistry license issuance). If the bill is not enacted by June 30,
2 2009, the amount provided in this section shall lapse.

3 (15) \$23,000 of the health professions account--state appropriation
4 is provided solely to implement Second Substitute House Bill No. 1899
5 (retired active physician licenses). If the bill is not enacted by
6 June 30, 2009, the amount provided in this section shall lapse.

7 (16) \$12,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$67,000 of the general fund--private/local appropriation
9 are provided solely to implement House Bill No. 1510 (birth
10 certificates). If the bill is not enacted by June 30, 2009, the amount
11 provided in this section shall lapse.

12 (17) \$31,000 of the health professions account is provided for the
13 implementation of Second Substitute Senate Bill No. 5850 (human
14 trafficking). If the bill is not enacted by June 2009, the amount
15 provided in this subsection shall lapse.

16 (18) \$282,000 of the health professions account is provided for the
17 implementation of Substitute Senate Bill No. 5752 (dentists cost
18 recovery). If the bill is not enacted by June 2009, the amount
19 provided in this subsection shall lapse.

20 (19) \$106,000 of the health professions account is provided for the
21 implementation of Substitute Senate Bill No. 5601 (speech language
22 assistants). If the bill is not enacted by June 2009, the amount
23 provided in this subsection shall lapse.

24 (20) Sufficient funds are provided in this section to continue the
25 health care WorkForce survey pursuant to RCW 43.70.695.

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

27 (1) ADMINISTRATION AND SUPPORT SERVICES

28	General Fund--State Appropriation (FY 2010)	\$55,622,000
29	General Fund--State Appropriation (FY 2011)	\$56,318,000
30	TOTAL APPROPRIATION	\$111,940,000

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

33 (a) Within funds appropriated in this section, the department shall
34 seek contracts for chemical dependency vendors to provide chemical
35 dependency treatment of offenders in corrections facilities, including
36 corrections centers and community supervision facilities, which have

1 demonstrated effectiveness in treatment of offenders and are able to
2 provide data to show a successful treatment rate.

3 (b) \$35,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$35,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for the support of a statewide
6 council on mentally ill offenders that includes as its members
7 representatives of community-based mental health treatment programs,
8 current or former judicial officers, and directors and commanders of
9 city and county jails and state prison facilities. The council will
10 investigate and promote cost-effective approaches to meeting the long-
11 term needs of adults and juveniles with mental disorders who have a
12 history of offending or who are at-risk of offending, including their
13 mental health, physiological, housing, employment, and job training
14 needs.

15 (2) CORRECTIONAL OPERATIONS

16	General Fund--State Appropriation (FY 2010)	\$459,575,000
17	General Fund--State Appropriation (FY 2011)	\$629,070,000
18	General Fund--Federal Appropriation	\$185,131,000
19	General Fund--Private/Local Appropriation	\$3,536,000
20	Washington Auto Theft Prevention Authority Account--	
21	State Appropriation	\$5,960,000
22	TOTAL APPROPRIATION	\$1,283,272,000

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

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

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

34 (c) The department shall accomplish personnel reductions with the
35 least possible impact on correctional custody staff, community custody
36 staff, and correctional industries. For the purposes of this
37 subsection, correctional custody staff means employees responsible for
38 the direct supervision of offenders.

1 (d) During the 2009-11 biennium, when contracts are established or
2 renewed for offender pay phone and other telephone services provided to
3 inmates, the department shall select the contractor or contractors
4 primarily based on the following factors: (i) The lowest rate charged
5 to both the inmate and the person paying for the telephone call; and
6 (ii) the lowest commission rates paid to the department, while
7 providing reasonable compensation to cover the costs of the department
8 to provide the telephone services to inmates and provide sufficient
9 revenues for the activities funded from the institutional welfare
10 betterment account.

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

16 (f) The appropriations in this subsection are based upon savings
17 assumed from the implementation of the following bills: Engrossed
18 Senate Bill No. 6183 (illegal alien offenders), Engrossed House Bill
19 No. 2194 (extraordinary medical placement), Senate Bill No. 6167
20 (crimes against property), Senate Bill No. 5525 (state
21 institutions/release), chapter 147, Laws of 2009 (Substitute Senate
22 Bill No. 5987) (corrections department personnel), and Substitute
23 Senate Bill No. 6160 (criminal justice sentencing).

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

29 (h) Within amounts provided in this subsection, the department,
30 jointly with the department of social and health services, shall
31 identify the number of offenders released through the extraordinary
32 medical placement program, the cost savings to the department of
33 corrections, including estimated medical cost savings, and the costs
34 for medical services in the community incurred by the department of
35 social and health services. The department and the department of
36 social and health services shall jointly report to the office of
37 financial management and the appropriate fiscal committees of the
38 legislature by November 30, 2010.

1 (i) \$11,863,000 of the general fund--state appropriation for fiscal
2 year 2010, \$11,864,000 of the general fund--state appropriation for
3 fiscal year 2011, and \$2,336,000 of the general fund--private/local
4 appropriation are provided solely for in-prison evidence-based programs
5 and for the reception diagnostic center program as part of the offender
6 re-entry initiative.

7 (3) COMMUNITY SUPERVISION

8	General Fund--State Appropriation (FY 2010)	\$152,122,000
9	General Fund--State Appropriation (FY 2011)	\$141,982,000
10	General Fund--Federal Appropriation	\$750,000
11	TOTAL APPROPRIATION	\$294,854,000

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

14 (a) The department shall accomplish personnel reductions with the
15 least possible impact on correctional custody staff, community custody
16 staff, and correctional industries. For the purposes of this
17 subsection, correctional custody staff means employees responsible for
18 the direct supervision of offenders.

19 (b) \$2,083,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$2,083,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely to implement Senate Bill No. 5525
22 (state institutions/release). If the bill is not enacted by June 30,
23 2009, the amounts provided in this subsection shall lapse.

24 (c) \$375,000 of the general fund--state appropriation for fiscal
25 year 2010 is provided solely as a matching amount of state funds for a
26 federal second chance act grant and is contingent upon receipt of
27 \$750,000 of federal funding under the second chance act.

28 (d) The appropriations in this subsection are based upon savings
29 assumed from the implementation of Engrossed Substitute Senate Bill No.
30 5288 (supervision of offenders).

31 (e) \$2,791,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$3,166,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for evidence-based community
34 programs and for community justice centers as part of the offender re-
35 entry initiative.

36 (4) CORRECTIONAL INDUSTRIES

37	General Fund--State Appropriation (FY 2010)	\$2,574,000
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1	General Fund--State Appropriation (FY 2011)	\$2,565,000
2	TOTAL APPROPRIATION	\$5,139,000

3 The appropriations in this subsection are subject to the following
4 conditions and limitations: \$132,000 of the general fund--state
5 appropriation for fiscal year 2010 and \$132,000 of the general fund--
6 state appropriation for fiscal year 2011 are provided solely for
7 transfer to the jail industries board. The board shall use the amounts
8 provided only for administrative expenses, equipment purchases, and
9 technical assistance associated with advising cities and counties in
10 developing, promoting, and implementing consistent, safe, and efficient
11 offender work programs.

12 (5) INTERAGENCY PAYMENTS

13	General Fund--State Appropriation (FY 2010)	\$40,455,000
14	General Fund--State Appropriation (FY 2011)	\$40,450,000
15	TOTAL APPROPRIATION	\$80,905,000

16 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF SERVICES FOR THE**
17 **BLIND**

18	General Fund--State Appropriation (FY 2010)	\$2,544,000
19	General Fund--State Appropriation (FY 2011)	\$2,550,000
20	General Fund--Federal Appropriation	\$18,125,000
21	General Fund--Private/Local Appropriation	\$20,000
22	TOTAL APPROPRIATION	\$23,239,000

23 The amounts appropriated in this section are subject to the
24 following conditions and limitations: Sufficient amounts are
25 appropriated in this section to support contracts for services that
26 provide employment support and help with life activities for deaf and
27 blind individuals in King county.

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

29	General Fund--State Appropriation (FY 2010)	\$978,000
30	General Fund--State Appropriation (FY 2011)	\$976,000
31	TOTAL APPROPRIATION	\$1,954,000

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

- 34 (1) Within the amounts appropriated in this section, the sentencing
35 guidelines commission, in partnership with the courts, shall develop a

1 plan to implement an evidence-based system of community custody for
2 adult felons that will include the consistent use of evidence-based
3 risk and needs assessment tools, programs, supervision modalities, and
4 monitoring of program integrity. The plan for the evidence-based
5 system of community custody shall include provisions for identifying
6 cost-effective rehabilitative programs; identifying offenders for whom
7 such programs would be cost-effective; monitoring the system for cost-
8 effectiveness; and reporting annually to the legislature. In
9 developing the plan, the sentencing guidelines shall consult with: The
10 Washington state institute for public policy; the legislature; the
11 department of corrections; local governments; prosecutors; defense
12 attorneys; victim advocate groups; law enforcement; the Washington
13 federation of state employees; and other interested entities. The
14 sentencing guidelines commission shall report its recommendations to
15 the governor and the legislature by December 1, 2009.

16 (2)(a) Except as provided in subsection (b), during the 2009-11
17 biennium, the reports required by RCW 9.94A.480(2) and 9.94A.850(2) (d)
18 and (h) shall be prepared within the available funds and may be delayed
19 or suspended at the discretion of the commission.

20 (b) The commission shall submit the analysis described in section
21 15 of Engrossed Substitute Senate Bill No. 5288 no later than December
22 1, 2011.

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

24	General Fund--State Appropriation (FY 2010)	\$7,054,000
25	General Fund--State Appropriation (FY 2011)	\$53,000
26	General Fund--Federal Appropriation	\$320,561,000
27	General Fund--Private/Local Appropriation	\$33,825,000
28	Unemployment Compensation Administration	
29	Account--Federal Appropriation	\$332,904,000
30	Administrative Contingency Account--State	
31	Appropriation	\$293,000
32	Employment Service Administrative Account--	
33	State Appropriation	\$37,195,000
34	TOTAL APPROPRIATION	\$731,885,000

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

1 (1) \$55,029,000 of the unemployment compensation administration
2 account--federal appropriation is provided from amounts made available
3 to the state by section 903(d) of the social security act (Reed act).
4 This amount is authorized to continue current unemployment insurance
5 functions and department services to employers and job seekers.

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

12 (3) \$110,000 of the unemployment compensation administration
13 account--federal appropriation is provided solely for implementation of
14 Senate Bill No. 5804 (leaving part time work voluntarily). If the bill
15 is not enacted by June 30, 2009, the amounts provided in this
16 subsection shall lapse.

17 (4) \$1,263,000 of the unemployment compensation administration
18 account--federal appropriation is provided solely for implementation of
19 Senate Bill No. 5963 (unemployment insurance). If the bill is not
20 enacted by June 30, 2009, the amounts provided in this subsection shall
21 lapse.

22 (5) \$159,000 of the unemployment compensation account--federal
23 appropriation is provided solely for the implementation of House Bill
24 No. 1555 (underground economy) from funds made available to the state
25 by section 903(d) of the social security act (Reed act).

26 (6) \$293,000 of the administrative contingency--state appropriation
27 for fiscal year 2010 is provided solely for the implementation of House
28 Bill No. 2227 (evergreen jobs act). If the bill is not enacted by June
29 30, 2009, the amounts provided in this subsection shall lapse.

30 (7) \$7,000,000 of the general fund--state appropriation for fiscal
31 year 2010 is provided solely for the implementation of Senate Bill No.
32 5809 (WorkForce employment and training). If the bill is not enacted
33 by June 30, 2009, the amounts provided in this subsection shall lapse.

(End of part)

PART III
NATURAL RESOURCES

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

General Fund--State Appropriation (FY 2010)	\$441,000
General Fund--State Appropriation (FY 2011)	\$445,000
General Fund--Federal Appropriation	\$30,000
General Fund--Private/Local Appropriation	\$864,000
TOTAL APPROPRIATION	\$1,780,000

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

General Fund--State Appropriation (FY 2010)	\$60,166,000
General Fund--State Appropriation (FY 2011)	\$58,190,000
General Fund--Federal Appropriation	\$82,452,000
General Fund--Private/Local Appropriation	\$16,668,000
Special Grass Seed Burning Research Account--State Appropriation	\$14,000
Reclamation Account--State Appropriation	\$3,679,000
Flood Control Assistance Account--State Appropriation	\$1,965,000
Waste Reduction/Recycling/Litter Control--State Appropriation	\$14,554,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$426,000
Freshwater Aquatic Algae Control Account--State Appropriation	\$509,000
Water Rights Tracking System Account--State Appropriation	\$116,000
Site Closure Account--State Appropriation	\$706,000
Wood Stove Education and Enforcement Account-- State Appropriation	\$612,000
Worker and Community Right-to-Know Account-- State Appropriation	\$1,670,000
State Toxics Control Account--State Appropriation	\$101,727,000
State Toxics Control Account--Private/Local Appropriation	\$383,000
Local Toxics Control Account--State Appropriation	\$24,730,000

1	Water Quality Permit Account--State Appropriation	\$37,433,000
2	Underground Storage Tank Account--State	
3	Appropriation	\$3,298,000
4	Biosolids Permit Account--State Appropriation	\$1,413,000
5	Hazardous Waste Assistance Account--State	
6	Appropriation	\$5,930,000
7	Air Pollution Control Account--State Appropriation	\$2,843,000
8	Oil Spill Prevention Account--State Appropriation	\$10,688,000
9	Air Operating Permit Account--State Appropriation	\$2,783,000
10	Freshwater Aquatic Weeds Account--State	
11	Appropriation	\$1,699,000
12	Oil Spill Response Account--State Appropriation	\$7,078,000
13	Metals Mining Account--State Appropriation	\$14,000
14	Water Pollution Control Revolving Account--State	
15	Appropriation	\$465,000
16	Water Pollution Control Revolving Account--Federal	
17	Appropriation	\$1,940,000
18	Emissions Reduction Assistance Account--State	
19	Appropriation	\$49,000
20	TOTAL APPROPRIATION	\$444,200,000

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

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

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

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

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

1 (5) \$811,000 of the state toxics account--state appropriation is
2 provided solely for oversight of toxic cleanup at facilities that
3 treat, store, and dispose of hazardous wastes.

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

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

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

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

1 (10) The department is authorized to increase the following fees in
2 the 2009-2011 biennium as necessary to meet the actual costs of
3 conducting business and the appropriation levels in this section:
4 Environmental lab accreditation, dam safety and inspection, biosolids
5 permitting, air emissions new source review, and manufacturer
6 registration and renewal.

7 (11) \$813,000 of the air pollution control account--state
8 appropriation and \$49,000 of the emissions reduction account--state
9 appropriation are provided solely for implementation of Engrossed
10 Second Substitute Senate Bill No. 5735 (reducing greenhouse gas
11 emissions). If the bill is not enacted by June 30, 2009, the amounts
12 provided in this subsection shall lapse.

13 (12) \$63,000 of the state toxics control account--state
14 appropriation is provided solely for implementation of Substitute
15 Senate Bill No. 5797 (solid waste handling permits). If the bill is
16 not enacted by June 30, 2009, the amount provided in this subsection
17 shall lapse.

18 (13) \$225,000 of the general fund--state appropriation for fiscal
19 year 2010 and \$193,000 of the general fund--state appropriation for
20 fiscal year 2011 are provided solely for implementation of Engrossed
21 Second Substitute Bill No. 5560 (agency climate leadership). If the
22 bill is not enacted by June 30, 2009, the amounts provided in this
23 subsection shall lapse.

24 (14) \$150,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$150,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely for watershed planning
27 implementation grants to continue ongoing efforts to develop and
28 implement water agreements in the Nooksack Basin and the Bertrand
29 watershed. These amounts are intended to support project
30 administration; monitoring; negotiations in the Nooksack watershed
31 between tribes, the department, and affected water users; continued
32 implementation of a flow augmentation project; plan implementation in
33 the Fishtrap watershed; and the development of a water bank.

34 (15) \$215,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$235,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely to provide watershed planning
37 implementation grants for WRIA 32 to implement Substitute House Bill

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

4 (16) \$200,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$200,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely for the purpose of supporting the
7 trust water rights program and processing trust water right transfer
8 applications that improve instream flow.

9 (17)(a) The department shall convene a stock water working group
10 that includes: Legislators, four members representing agricultural
11 interests, three members representing environmental interests, the
12 attorney general or designee, the director of the department of ecology
13 or designee, the director of the department of agriculture or designee,
14 and affected federally recognized tribes shall be invited to send
15 participants.

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

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

22 (18) \$22,000 of the state toxics control account--state
23 appropriation is provided solely for implementation of Engrossed Second
24 Substitute Senate Bill No. 5282 (bisphenol A use). If the bill is not
25 enacted by June 30, 2009, the amount provided in this subsection shall
26 lapse.

27 (19) \$73,000 of the water quality permit account--state
28 appropriation is provided solely to implement Substitute House Bill No.
29 1413 (water discharge fees). If the bill is not enacted by June 30,
30 2009, the amount provided in this subsection shall lapse.

31 (20) The department shall continue to work with the Columbia Snake
32 River irrigators' association to determine how seasonal water operation
33 and maintenance conservation can be utilized. In implementing this
34 proviso, the department shall also consult with the Columbia River
35 policy advisory group as appropriate.

36 (21) The department shall track any changes in costs, wages, and
37 benefits that would have resulted if House Bill No. 1716 (public
38 contract living wages), as introduced in the 2009 regular session of

1 the legislature, were enacted and made applicable to contracts and
2 related subcontracts entered into, renewed, or extended during the
3 2009-11 biennium. The department shall submit a report to the house of
4 representatives commerce and labor committee and the senate labor,
5 commerce, and consumer protection committee by December 1, 2011. The
6 report shall include data on any aggregate changes in wages and
7 benefits that would have resulted during the 2009-11 biennium.

8 (22) Within amounts appropriated in this section the department
9 shall develop recommendations by December 1, 2009, for a convenient and
10 effective mercury-containing light recycling program for residents,
11 small businesses, and small school districts throughout the state. The
12 department shall consider options including but not limited to, a
13 producer-funded program, a recycler-supported or recycle fee program,
14 a consumer fee at the time of purchase, general fund appropriations, or
15 a currently existing dedicated account. The department shall involve
16 and consult with stakeholders including persons who represent
17 retailers, waste haulers, recyclers, mercury-containing light
18 manufacturers or wholesalers, cities, counties, environmental
19 organizations and other interested parties. The department shall
20 report its findings and recommendations for a recycling program for
21 mercury-containing lights to the appropriate committees of the
22 legislature by December 1, 2009.

23 (23) During the 2009-11 biennium, the department shall implement
24 its cost reimbursement authority for processing water right
25 applications using a competitive bidding process. For each cost
26 reimbursement application, the department shall obtain cost proposals
27 and other necessary information from at least three prequalified costs
28 reimbursement consultants and shall select the lowest responsive
29 bidder.

30 (24) \$140,000 of the freshwater aquatic algae control account--
31 state appropriation is provided solely for grants to cities, counties,
32 tribes, special purpose districts, and state agencies for capital and
33 operational expenses used to manage and study excessive saltwater algae
34 with an emphasis on the periodic accumulation of sea lettuce on Puget
35 Sound beaches.

36 (25) By December 1, 2009, the department in consultation with local
37 governments shall conduct a remedial action grant financing
38 alternatives report. The report shall address options for financing the

1 remedial action grants identified in the department's report, entitled
 2 "House Bill 1761, Model Toxics Control Accounts Ten-Year Financing
 3 Plan" and shall include but not be limited to the following: (a)
 4 Capitalizing cleanup costs using debt insurance; (b) capitalizing
 5 cleanup costs using prefunded cost-cap insurance; (c) other contractual
 6 instruments with local governments; and (d) an assessment of overall
 7 economic benefits of the remedial action grants funded using the
 8 instruments identified in this section.

9 NEW SECTION. **Sec. 303. FOR THE STATE PARKS AND RECREATION**
 10 **COMMISSION**

11	General Fund--State Appropriation (FY 2010)	\$23,541,000
12	General Fund--State Appropriation (FY 2011)	\$22,944,000
13	General Fund--Federal Appropriation	\$5,902,000
14	General Fund--Private/Local Appropriation	\$73,000
15	Winter Recreation Program Account--State	
16	Appropriation	\$1,558,000
17	Off Road Vehicle Account--State Appropriation	\$239,000
18	Snowmobile Account--State Appropriation	\$4,842,000
19	Aquatic Lands Enhancement Account--State Appropriation	\$363,000
20	Recreation Resources Account--State Appropriation	\$9,802,000
21	NOVA Program Account--State Appropriation	\$9,560,000
22	Parks Renewal and Stewardship Account--State	
23	Appropriation	\$73,278,000
24	Parks Renewal and Stewardship Account--	
25	Private/Local Appropriation	\$300,000
26	TOTAL APPROPRIATION	\$152,402,000

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

29 (1) \$79,000 of the general fund--state appropriation for fiscal
 30 year 2010 and \$79,000 of the general fund--state appropriation for
 31 fiscal year 2011 are provided solely for a grant for the operation of
 32 the Northwest avalanche center.

33 (2) \$1,500,000 of the parks renewal and stewardship account--state
 34 appropriation is provided solely to implement Substitute House Bill No.
 35 2109 (state parks and recreation funding). If the bill is not enacted
 36 by June 30, 2009, the amount provided in this subsection shall lapse.

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

4 (4) The commission shall actively pursue transferring ownership of
5 state parks to local governments, tribes, or other entities that have
6 expressed an interest in operating the park. The commission shall
7 provide biannual updates of this effort to the office of financial
8 management and the appropriate fiscal committees of the legislature.
9 The first report shall be submitted no later than December 1, 2009.

10 (5) With the passage of Substitute House Bill No. 2339 (state parks
11 system donation), the legislature finds that it has provided sufficient
12 funds to ensure that all state parks remain open during the 2009-11
13 biennium. The commission shall not close state parks unless the bill
14 is not enacted by June 30, 2009, or revenue collections are
15 insufficient to fund the ongoing operation of state parks. By January
16 10, 2010, the commission shall provide a report to the legislature on
17 their budget and resources related to operating parks for the remainder
18 of the biennium.

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

26 NEW SECTION. **Sec. 304. FOR THE RECREATION AND CONSERVATION**
27 **FUNDING BOARD**

28	General Fund--State Appropriation (FY 2010)	\$1,511,000
29	General Fund--State Appropriation (FY 2011)	\$1,558,000
30	General Fund--Federal Appropriation	\$10,431,000
31	General Fund--Private/Local Appropriation	\$250,000
32	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
33	Firearms Range Account--State Appropriation	\$39,000
34	Recreation Resources Account--State Appropriation	\$2,805,000
35	NOVA Program Account--State Appropriation	\$1,062,000
36	TOTAL APPROPRIATION	\$17,934,000

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

3 (1) \$204,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$244,000 of the general fund-- state appropriation for
5 fiscal year 2011 are provided solely for the implementation of
6 Substitute House Bill No. 2157 (salmon recovery). If the bill is not
7 enacted by June 30, 2009, the amounts provided in this subsection shall
8 lapse.

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

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

19	General Fund--State Appropriation (FY 2010)	\$1,079,000
20	General Fund--State Appropriation (FY 2011)	\$1,074,000
21	TOTAL APPROPRIATION	\$2,153,000

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

23	General Fund--State Appropriation (FY 2010)	\$7,692,000
24	General Fund--State Appropriation (FY 2011)	\$7,707,000
25	General Fund--Federal Appropriation	\$1,179,000
26	TOTAL APPROPRIATION	\$16,578,000

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

28	General Fund--State Appropriation (FY 2010)	\$41,234,000
29	General Fund--State Appropriation (FY 2011)	\$39,939,000
30	General Fund--Federal Appropriation	\$86,330,000
31	General Fund--Private/Local Appropriation	\$47,490,000
32	Off Road Vehicle Account--State Appropriation	\$415,000
33	Aquatic Lands Enhancement Account--State	
34	Appropriation	\$6,757,000
35	Recreational Fisheries Enhancement--State	

1	Appropriation	\$3,640,000
2	Warm Water Game Fish Account--State Appropriation	\$2,877,000
3	Eastern Washington Pheasant Enhancement Account--	
4	State Appropriation	\$848,000
5	Aquatic Invasive Species Enforcement Account--	
6	State Appropriation	\$207,000
7	Aquatic Invasive Species Prevention Account--	
8	State Appropriation	\$844,000
9	Wildlife Account--State Appropriation	\$74,744,000
10	Game Special Wildlife Account--State Appropriation	\$2,381,000
11	Game Special Wildlife Account--Federal Appropriation	\$8,928,000
12	Game Special Wildlife Account--Private/Local	
13	Appropriation	\$487,000
14	Wildlife Rehabilitation Account--State Appropriation	\$270,000
15	Regional Fisheries Salmonid Recovery Account--	
16	Federal Appropriation	\$5,001,000
17	Oil Spill Prevention Account--State Appropriation	\$884,000
18	Oyster Reserve Land Account--State Appropriation	\$918,000
19	TOTAL APPROPRIATION	\$324,194,000

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

22 (1) \$294,000 of the aquatic lands enhancement account--state
23 appropriation is provided solely for the implementation of hatchery
24 reform recommendations defined by the hatchery scientific review group.

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

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

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

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

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

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

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

25 (4) Within existing funds, the department shall continue
26 implementing its capital program action plan dated September 1, 2007,
27 including the purchase of the necessary maintenance and support costs
28 for the capital programs and engineering tools. The department shall
29 report to the office of financial management and the appropriate
30 committees of the legislature, its progress in implementing the plan,
31 including improvements instituted in its capital program, by September
32 30, 2011.

33 (5) \$66,000 of the state wildlife account--state appropriation is
34 provided solely to implement Substitute House Bill No. 1972 (outdoor
35 recreation info). If the bill is not enacted by June 30, 2009, the
36 amount provided in this subsection shall lapse.

37 (6) \$1,232,000 of the state wildlife account--state appropriation

1 is provided solely to implement Substitute House Bill No. 1778 (fish
2 and wildlife). If the bill is not enacted by June 30, 2009, the amount
3 provided in this subsection shall lapse.

4 (7) \$400,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$400,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely for a state match to support the
7 Puget Sound nearshore partnership between the department and the U.S.
8 army corps of engineers.

9 (8) \$100,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$100,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely for removal of derelict gear in
12 Washington waters.

13 (9) The department of fish and wildlife shall dispose of all fixed
14 wing aircraft it currently owns. The proceeds from the aircraft shall
15 be deposited into the state wildlife account. Disposal of the aircraft
16 must occur no later than June 30, 2010.

17 (10) \$50,000 of the general fund--state appropriation for fiscal
18 year 2010 is provided solely for an electron project fish passage study
19 consistent with the recommendations and protocols contained in the 2008
20 electron project downstream fish passage final report.

21 (11) \$60,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$60,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for implementation of Engrossed
24 Second Substitute Bill No. 5560 (agency climate leadership). If the
25 bill is not enacted by June 30, 2009, the amounts provided in this
26 subsection shall lapse.

27 (12) If sufficient new revenues are not identified to continue
28 hatchery operations, within the constraints of legally binding tribal
29 agreements, the department shall dispose of, by removal, sale, lease,
30 reversion, or transfer of ownership, the following hatcheries:
31 McKernan, Colville, Omak, Bellingham, Arlington, and Mossyrock.
32 Disposal of the hatcheries must occur by June 30, 2011, and any
33 proceeds received from disposal shall be deposited in the state
34 wildlife account. Within available funds, the department shall provide
35 quarterly reports on the progress of disposal to the office of
36 financial management and the appropriate fiscal committees of the
37 legislature. The first report shall be submitted no later than
38 September 30, 2009.

1 (13) \$100,000 of the eastern Washington pheasant enhancement
 2 account--state appropriation is provided solely for the department to
 3 support efforts to enhance permanent and temporary pheasant habitat on
 4 public and private lands in Grant, Franklin, and Adams counties. The
 5 department may support efforts by entities including conservation
 6 districts, nonprofit organizations, and landowners, and must require
 7 such entities to provide significant nonstate matching resources, which
 8 may be in the form of funds, material, or labor.

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

10	General Fund--State Appropriation (FY 2010)	\$40,275,000
11	General Fund--State Appropriation (FY 2011)	\$40,857,000
12	General Fund--Federal Appropriation	\$26,731,000
13	General Fund--Private/Local Appropriation	\$1,371,000
14	Forest Development Account--State Appropriation	\$41,765,000
15	Off Road Vehicle Account--State Appropriation	\$4,236,000
16	Surveys and Maps Account--State Appropriation	\$2,543,000
17	Aquatic Lands Enhancement Account--State	
18	Appropriation	\$7,217,000
19	Resources Management Cost Account--State	
20	Appropriation	\$78,951,000
21	Surface Mining Reclamation Account--State	
22	Appropriation	\$3,490,000
23	Disaster Response Account--State Appropriation	\$5,000,000
24	Forest and Fish Support Account--State Appropriation	\$8,000,000
25	Aquatic Land Dredged Material Disposal Site	
26	Account--State Appropriation	\$1,336,000
27	Natural Resources Conservation Areas Stewardship	
28	Account--State Appropriation	\$34,000
29	State Toxics Control Account--State Appropriation	\$80,000
30	Air Pollution Control Account--State Appropriation	\$569,000
31	NOVA Program Account--State Appropriation	\$982,000
32	Derelict Vessel Removal Account--State Appropriation	\$1,754,000
33	Agricultural College Trust Management Account--	
34	State Appropriation	\$2,643,000
35	TOTAL APPROPRIATION	\$267,834,000

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

1 (1) \$1,355,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$1,299,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for deposit into the agricultural
4 college trust management account and are provided solely to manage
5 approximately 70,700 acres of Washington State University's
6 agricultural college trust lands.

7 (2) \$11,128,000 of the general fund--state appropriation for fiscal
8 year 2010, \$11,128,000 of the general fund--state appropriation for
9 fiscal year 2011, and \$5,000,000 of the disaster response account--
10 state appropriation are provided solely for emergency fire suppression.
11 None of the general fund and disaster response account amounts provided
12 in this subsection may be used to fund agency indirect and
13 administrative expenses. Agency indirect and administrative costs
14 shall be allocated among the agency's remaining accounts and
15 appropriations. The department of natural resources shall submit a
16 quarterly report to the office of financial management and the
17 legislative fiscal committees detailing information on current and
18 planned expenditures from the disaster response account. This work
19 shall be done in coordination with the military department.

20 (3) \$5,000,000 of the forest and fish support account--state
21 appropriation is provided solely for adaptive management, monitoring,
22 and participation grants to tribes. If federal funding for this
23 purpose is reinstated, the amount provided in this subsection shall
24 lapse.

25 (4) \$600,000 of the derelict vessel removal account--state
26 appropriation is provided solely for removal of derelict and abandoned
27 vessels that have the potential to contaminate Puget Sound.

28 (5) \$666,000 of the general fund--federal appropriation is provided
29 solely to implement House Bill No. 2165 (forest biomass energy
30 project). If the bill is not enacted by June 30, 2009, the amount
31 provided in this subsection shall lapse.

32 (6) \$5,000 of the general fund--state appropriation for fiscal year
33 2010 and \$5,000 of the general fund--state appropriation for fiscal
34 year 2011 are provided solely to implement Substitute House Bill No.
35 1038 (specialized forest products). If the bill is not enacted by June
36 30, 2009, the amounts provided in this subsection shall lapse.

37 (7) \$440,000 of the state general fund--state appropriation for
38 fiscal year 2010 and \$440,000 of the state general fund--state

1 appropriation for fiscal year 2011 are provided solely for forest work
 2 crews that support correctional camps and are contingent upon
 3 continuing operations of Naselle youth camp at the level provided in
 4 fiscal year 2008. The department shall consider using up to \$2,000,000
 5 of the general fund--federal appropriation to support and utilize
 6 correctional camp crews to implement natural resource projects approved
 7 by the federal government for federal stimulus funding.

8 (8) The department of natural resources shall dispose of the King
 9 Air aircraft it currently owns. Disposal of the aircraft must occur no
 10 later than June 30, 2010, and the proceeds from the sale of the
 11 aircraft shall be deposited into the natural resources equipment
 12 revolving fund. At the expiration of current leases, the department
 13 shall lease facilities in eastern Washington sufficient to house the
 14 necessary aircraft, mechanics, and pilots used for forest fire
 15 prevention and suppression.

16 (9) \$30,000 of the general fund--state appropriation for fiscal
 17 year 2010 and \$30,000 of the general fund--state appropriation for
 18 fiscal year 2011 are provided solely for implementation of Engrossed
 19 Second Substitute Bill No. 5560 (agency climate leadership). If the
 20 bill is not enacted by June 30, 2009, the amounts provided in this
 21 subsection shall lapse.

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

23	General Fund--State Appropriation (FY 2010)	\$12,616,000
24	General Fund--State Appropriation (FY 2011)	\$12,295,000
25	General Fund--Federal Appropriation	\$11,565,000
26	General Fund--Private/Local Appropriation	\$194,000
27	Aquatic Lands Enhancement Account--State	
28	Appropriation	\$2,559,000
29	State Toxics Control Account--State Appropriation	\$4,298,000
30	Water Quality Permit Account--State Appropriation	\$61,000
31	TOTAL APPROPRIATION	\$43,588,000

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

34 (1) \$350,000 of the aquatic lands enhancement account appropriation
 35 is provided solely for funding to the Pacific county noxious weed
 36 control board to eradicate remaining spartina in Willapa Bay.

1 (2) \$19,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$6,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely to implement Substitute Senate
4 Bill No. 5797 (solid waste handling permits). If the bill is not
5 enacted by June 30, 2009, the amounts provided in this subsection shall
6 lapse.

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

12 (4) Within the amounts appropriated in this section, the department
13 of agriculture shall convene meetings with the dairy industry
14 representatives and affected groups to consider alternatives for
15 stabilizing farm milk prices. The department of agriculture shall
16 provide a report of findings to the appropriate committees of the
17 legislature and the office of financial management no later than
18 December 15, 2009.

19 (5) \$63,000 of the general fund--state appropriation for fiscal
20 year 2010 is provided solely for implementation of Engrossed Substitute
21 Bill No. 5005 (naturally raised beef cattle). If the bill is not
22 enacted by June 30, 2009, the amounts provided in this subsection shall
23 lapse.

24 NEW SECTION. **Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY**
25 **REINSURANCE PROGRAM**

26 Pollution Liability Insurance Program Trust
27 Account--State Appropriation \$638,000

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

29 General Fund--State Appropriation (FY 2010) \$3,223,000
30 General Fund--State Appropriation (FY 2011) \$3,194,000
31 General Fund--Federal Appropriation \$3,623,000
32 Aquatic Lands Enhancement Account--State Appropriation \$500,000
33 State Toxics Control Account--State Appropriation \$896,000
34 TOTAL APPROPRIATION \$11,436,000

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

1 (1) \$305,000 of the general fund--state appropriation for fiscal
2 year 2010 is provided solely for measuring water and habitat quality to
3 determine watershed health and assist salmon recovery.

4 (2) \$896,000 of the state toxics control account--state
5 appropriation is provided solely for activities that contribute to
6 Puget Sound protection and recovery, including provision of independent
7 advice and assessment of the state's oil spill prevention,
8 preparedness, and response programs, including review of existing
9 activities and recommendations for any necessary improvements. The
10 partnership may carry out this function through an existing committee,
11 such as the ecosystem coordination board or the leadership council, or
12 may appoint a special advisory council. Because this is a unique
13 statewide program, the partnership may invite participation from
14 outside the Puget Sound region.

15 (3) Within the amounts appropriated in this section, the Puget
16 Sound partnership shall facilitate an ongoing monitoring consortium to
17 integrate monitoring efforts for storm water, water quality, watershed
18 health, and other indicators to enhance monitoring efforts in Puget
19 Sound.

20 (4) The Puget Sound partnership shall work with Washington State
21 University and the environmental protection agency to secure funding
22 for the beach watchers program.

23 (5) \$877,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$877,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely to support public education and
26 volunteer programs. The partnership is directed to distribute the
27 majority of funding as grants to local organizations, local
28 governments, and education, communication, and outreach network
29 partners. The partnership shall track progress for this activity
30 through the accountability system of the Puget Sound partnership.

31 NEW SECTION. **Sec. 312.** Transfers from natural resource funds in
32 part VIII of this act are intended to support natural resource
33 agencies.

(End of part)

PART IV
TRANSPORTATION

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

4	General Fund--State Appropriation (FY 2010)	\$1,668,000
5	General Fund--State Appropriation (FY 2011)	\$1,712,000
6	Architects' License Account--State Appropriation	\$1,056,000
7	Cemetery Account--State Appropriation	\$414,000
8	Professional Engineers' Account--State Appropriation	\$3,586,000
9	Real Estate Commission Account--State Appropriation	\$10,047,000
10	Master License Account--State Appropriation	\$15,718,000
11	Uniform Commercial Code Account--State Appropriation	\$3,100,000
12	Real Estate Education Account--State Appropriation	\$276,000
13	Real Estate Appraiser Commission Account--State	
14	Appropriation	\$1,692,000
15	Business and Professions Account--State Appropriation	\$15,270,000
16	Real Estate Research Account--State Appropriation	\$320,000
17	Funeral Directors And Embalmers Account--State	
18	Appropriation	\$885,000
19	Geologists' Account--State Appropriation	\$53,000
20	Derelict Vessel Removal Account--State Appropriation	\$31,000
21	TOTAL APPROPRIATION	\$55,828,000

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

24 (1) Pursuant to RCW 43.135.055, the department is authorized to
25 increase fees for cosmetologists, funeral directors, cemeteries, court
26 reporters and appraisers. These increases are necessary to support the
27 expenditures authorized in this section, consistent with RCW 43.24.086.

28 (2) \$1,352,000 of the business and professions account--state
29 appropriation is provided solely to implement Substitute Senate Bill
30 No. 5391 (tattoo and body piercing). If the bill is not enacted by
31 June 30, 2009, the amount provided in this subsection shall lapse.

32 (3) \$289,000 of the architects' license account--state
33 appropriation is provided solely to implement Senate Bill No. 5529
34 (architects). If the bill is not enacted by June 30, 2009, the amount
35 provided in this subsection shall lapse.

1 (4) \$358,000 of the business and professions account--state
2 appropriation is provided solely to implement Senate Bill No. 6126
3 (professional athletics). If the bill is not enacted by June 30, 2009,
4 the amount provided in this subsection shall lapse.

5 NEW SECTION. **Sec. 402. FOR THE STATE PATROL**

6	General Fund--State Appropriation (FY 2010)	\$41,468,000
7	General Fund--State Appropriation (FY 2011)	\$40,366,000
8	General Fund--Federal Appropriation	\$11,401,000
9	General Fund--Private/Local Appropriation	\$3,568,000
10	Death Investigations Account--State Appropriation	\$6,022,000
11	Enhanced 911 Account--State Appropriation	\$589,000
12	County Criminal Justice Assistance Account--State	
13	Appropriation	\$3,122,000
14	Municipal Criminal Justice Assistance Account--State	
15	Appropriation	\$1,245,000
16	Fire Service Trust Account--State Appropriation	\$131,000
17	Disaster Response Account--State Appropriation	\$8,002,000
18	Fire Service Training Account--State Appropriation	\$8,717,000
19	Aquatic Invasive Species Enforcement Account--State	
20	Appropriation	\$54,000
21	State Toxics Control Account--State Appropriation	\$504,000
22	Fingerprint Identification Account--State Appropriation	\$7,371,000
23	TOTAL APPROPRIATION	\$132,560,000

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

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

33 (2) \$8,000,000 of the disaster response account--state
34 appropriation is provided solely for Washington state fire service
35 resource mobilization costs incurred in response to an emergency or
36 disaster authorized under RCW 43.43.960 and 43.43.964. The state
37 patrol shall submit a report quarterly to the office of financial

1 management and the legislative fiscal committees detailing information
2 on current and planned expenditures from this account. This work shall
3 be done in coordination with the military department.

4 (3) The state patrol shall implement a cost recovery method to
5 fully recover costs for operating the two king air airplanes. Users of
6 the plane, including the state patrol and the governor's office, shall
7 be charged an appropriate amount to cover all operating and maintenance
8 costs of the plane. The state patrol shall report on this method, the
9 rates being charged, total operational expenses, and information
10 regarding usage of the planes to the office of financial management and
11 the appropriate committees of the legislature.

12 (4) The 2010 legislature will review the use of king air planes by
13 the executive branch and the adequacy of funding in this budget
14 regarding maintaining and operating the planes to successfully
15 accomplish their mission.

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

22 (6) \$400,000 of the fire service training account--state
23 appropriation is provided solely for the firefighter apprenticeship
24 training program.

25 (7) \$48,000 of the fingerprint identification account--state
26 appropriation is provided solely to implement Substitute House Bill No.
27 1621 (consumer loan companies). If the bill is not enacted by June 30,
28 2009, the amounts provided in this subsection shall lapse.

(End of part)

PART V
EDUCATION

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

General Fund--State Appropriation (FY 2010)	\$34,798,000
General Fund--State Appropriation (FY 2011)	\$32,969,000
General Fund--Federal Appropriation	\$86,571,000
TOTAL APPROPRIATION	\$154,338,000

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

(1) A maximum of \$22,532,000 of the general fund--state appropriation for fiscal year 2010 and \$21,023,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) \$11,792,000 of the general fund--state appropriation for fiscal year 2010 and \$11,325,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) Within the amounts provided in this subsection, the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, via the monthly report of school district enrollment, accurate monthly headcount and FTE enrollments for students in internet alternative learning experience (ALE) programs as well as information about resident and serving districts.

(iii) \$927,000 of the general fund--state appropriation for fiscal year 2010 and \$941,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for research and development activities associated with the development of options for new school

1 finance systems, including technical staff, reprogramming, and analysis
2 of alternative student funding formulae. Within this amount is
3 \$150,000 for the state board of education for further development of
4 accountability systems, and \$150,000 for the professional educator
5 standards board for continued development of teacher certification and
6 evaluation systems.

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

12 (c) \$5,366,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$5,264,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely to the professional educator
15 standards board for the following:

16 (i) \$1,070,000 in fiscal year 2010 and \$1,070,000 in fiscal year
17 2011 are for the operation and expenses of the Washington professional
18 educator standards board, including administering the alternative
19 routes to certification program, pipeline for paraeducators conditional
20 scholarship loan program, and the retooling to teach math conditional
21 loan program;

22 (ii) \$3,431,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$3,431,000 of the general fund--state appropriation for
24 fiscal year 2011 are for conditional scholarship loans and mentor
25 stipends provided through the alternative routes to certification
26 program administered by the professional educator standards board. Of
27 these amounts:

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

31 (B) \$2,372,000 for fiscal year 2010 and \$2,372,000 for fiscal year
32 2011 are for the expansion of conditional scholarship loans and mentor
33 stipends for individuals enrolled in alternative route state
34 partnership programs and seeking endorsements in math, science, special
35 education or bilingual education;

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

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

3 (iii) \$231,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$231,000 of the general fund--state appropriation for
5 fiscal year 2011 are for the recruiting Washington teachers program;

6 (iv) \$200,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$200,000 of the general fund--state appropriation for
8 fiscal year 2011 provided in this subsection are for \$4,000 conditional
9 loan stipends for paraeducators participating in the pipeline for
10 paraeducators program;

11 (v) \$244,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$244,000 of the general fund--state appropriation for
13 fiscal year 2011 are for conditional stipends for certificated teachers
14 pursuing a mathematics or science endorsement under the retooling to
15 teach mathematics or science program. The conditional stipends shall
16 be for endorsement exam fees as well as stipends for teachers who must
17 also complete coursework; and

18 (vi) \$102,000 of the general fund--state appropriation for fiscal
19 year 2010 is provided for the implementation of Second Substitute
20 Senate Bill No. 5973 (student achievement gap). The professional
21 educator standards board (PESB) will convene a workgroup to identify a
22 list of model standards for cultural competency and make
23 recommendations to the education committees of the legislature on the
24 strengths and weaknesses of those standards. Funding is also included
25 here in the amount of \$10,000 for the PESB to develop an interagency
26 agreement with the center for the improvement of student learning to
27 participate.

28 (d) \$1,099,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$144,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely for replacement of the
31 apportionment system, which includes the processes that collect school
32 district budget and expenditure information, staffing characteristics,
33 and the student enrollments that drive the funding process.

34 (e) \$1,227,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$1,227,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for the creation of a statewide
37 data base of longitudinal student information. This amount is

1 conditioned on the department satisfying the requirements in section
2 902 of this act.

3 (f) \$75,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$75,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely to promote the financial literacy
6 of students. The effort will be coordinated through the financial
7 education public-private partnership.

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

13 (h) \$44,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$45,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the implementation of
16 Substitute Senate Bill No. 5248 (enacting the interstate compact on
17 educational opportunity for military children).

18 (i) \$700,000 of the general fund--state appropriation for fiscal
19 year 2010 and \$700,000 of the general fund--state appropriation for
20 fiscal year 2011 are provided solely for the implementation of
21 Substitute Senate Bill No. 5410 (online learning).

22 (j) \$25,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$25,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for project citizen, a program
25 sponsored by the national conference of state legislatures and the
26 center for civic education to promote participation in government by
27 middle school students.

28 (2) \$12,836,000 of the general fund--state appropriation for fiscal
29 year 2010, \$12,407,000 of the general fund--state appropriation for
30 fiscal year 2011, and \$55,890,000 of the general fund--federal
31 appropriation are for statewide programs.

32 (a) HEALTH AND SAFETY

33 (i) \$2,541,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$2,541,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for a corps of nurses located at
36 educational service districts, as determined by the superintendent of
37 public instruction, to be dispatched to the most needy schools to

1 provide direct care to students, health education, and training for
2 school staff.

3 (ii) \$100,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$100,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for a school safety training
6 program provided by the criminal justice training commission. The
7 commission, in collaboration with the school safety center advisory
8 committee, shall provide the school safety training for all school
9 administrators and school safety personnel, including school safety
10 personnel hired after the effective date of this section.

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

14 (iv) \$96,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$96,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for the school safety center in
17 the office of the superintendent of public instruction subject to the
18 following conditions and limitations:

19 (A) The safety center shall: Disseminate successful models of
20 school safety plans and cooperative efforts; provide assistance to
21 schools to establish a comprehensive safe school plan; select models of
22 cooperative efforts that have been proven successful; act as an
23 information dissemination and resource center when an incident occurs
24 in a school district either in Washington or in another state;
25 coordinate activities relating to school safety; review and approve
26 manuals and curricula used for school safety models and training; and
27 develop and maintain a school safety information web site.

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

31 (v) \$70,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$70,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for the youth suicide prevention
34 program.

35 (vi) \$50,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$50,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for a nonviolence and leadership
38 training program provided by the institute for community leadership.

1 (b) TECHNOLOGY

2 (i) \$1,939,000 of the general fund--state appropriation for fiscal
3 year 2010 and \$1,939,000 of the general fund--state appropriation for
4 fiscal year 2011 are provided solely for K-20 telecommunications
5 network technical support in the K-12 sector to prevent system failures
6 and avoid interruptions in school utilization of the data processing
7 and video-conferencing capabilities of the network. These funds may be
8 used to purchase engineering and advanced technical support for the
9 network.

10 (ii) \$1,475,000 of the general fund--state appropriation for fiscal
11 year 2010, \$1,045,000 of the general fund--state appropriation for
12 fiscal year 2011, and \$435,000 of the general fund--federal
13 appropriation are provided solely for implementing a comprehensive data
14 system to include financial, student, and educator data. The office of
15 the superintendent of public instruction will convene a data governance
16 group to create a comprehensive needs-requirement document, conduct a
17 gap analysis, and define operating rules and a governance structure for
18 K-12 data collections. A preliminary report shall be submitted to the
19 fiscal committees and the education policy committees of the house of
20 representatives and senate by November 2009.

21 (iii) \$1,656,000 of the general fund--federal appropriation for
22 fiscal year 2010 and \$2,483,000 of the general fund--federal
23 appropriation for fiscal year 2011 of the American recovery and
24 reinvestment act (ARRA) 2009 funds for education technology are
25 provided solely for distribution to school districts, by formula, as
26 provided in the ARRA and related federal guidelines. \$4,139,000 of the
27 general fund--federal appropriation of the American recovery and
28 reinvestment act (ARRA) 2009 funds for education technology shall be
29 awarded to local education agencies through a competitive grant
30 process.

31 (c) GRANTS AND ALLOCATIONS

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

1 (ii) \$750,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$750,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for the Washington state achievers
4 scholarship program. The funds shall be used to support community
5 involvement officers that recruit, train, and match community volunteer
6 mentors with students selected as achievers scholars.

7 (iii) \$25,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$25,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely for developing and disseminating
10 curriculum and other materials documenting women's role in World War
11 II.

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

20 (v) \$3,219,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$3,220,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for the dissemination of the
23 navigation 101 curriculum to all districts. The funding shall support
24 electronic student planning tools and software for analyzing the impact
25 of navigation 101 on student performance, as well as grants to a
26 maximum of one hundred school districts each year, based on progress
27 and need for the implementation of the navigation 101 program. The
28 implementation grants shall be awarded to a cross-section of school
29 districts reflecting a balance of geographic and demographic
30 characteristics. Within the amounts provided, the office of the
31 superintendent of public instruction will create a navigation 101
32 accountability model to analyze the impact of the program.

33 (vi) \$675,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$675,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for implementation of a statewide
36 program for comprehensive dropout prevention, intervention, and
37 retrieval.

1 (vii) \$50,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$50,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for program initiatives to address
4 the educational needs of Latino students and families. Using the full
5 amounts of the appropriations under this subsection (2)(c)(vii), the
6 office of the superintendent of public instruction shall contract with
7 the Seattle community coalition of compaña quetzal to provide for three
8 initiatives: (A) Early childhood education; (B) parent leadership
9 training; and (C) high school success and college preparation programs.

10 (viii) \$75,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$75,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for a pilot project to encourage
13 bilingual high school students to pursue public school teaching as a
14 profession. Using the full amounts of the appropriation under this
15 subsection, the office of the superintendent of public instruction
16 shall contract with the Latino/a educational achievement project (LEAP)
17 to work with school districts to identify and mentor not fewer than
18 fifty bilingual students in their junior year of high school,
19 encouraging them to become bilingual instructors in schools with high
20 English language learner populations. Students shall be mentored by
21 bilingual teachers and complete a curriculum developed and approved by
22 the participating districts.

23 (ix) \$145,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$145,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely to the office of the
26 superintendent of public instruction to enhance the reading skills of
27 students with dyslexia by implementing the findings of the dyslexia
28 pilot program. Funds shall be used to provide information and training
29 to classroom teachers and reading specialists, for development of a
30 dyslexia handbook, and to take other statewide actions to improve the
31 reading skills of students with dyslexia. The training program shall
32 be delivered regionally through the educational service districts.

33 (x) \$97,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$97,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely to support vocational student
36 leadership organizations.

37 (xi) \$25,000 of the general--state appropriation for fiscal year

1 2010 and \$25,000 of the general fund--state appropriation for fiscal
2 year 2011 are provided solely for the communities in school program in
3 Pierce county.

4 NEW SECTION. **Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC**
5 **INSTRUCTION--FOR GENERAL APPORTIONMENT**

6	General Fund--State Appropriation (FY 2010)	\$5,083,217,000
7	General Fund--State Appropriation (FY 2011)	\$5,103,543,000
8	TOTAL APPROPRIATION	\$10,186,760,000

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

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

14 (2) Allocations for certificated staff salaries for the 2009-10 and
15 2010-11 school years shall be determined using formula-generated staff
16 units calculated pursuant to this subsection. Staff allocations for
17 small school enrollments in (e) through (g) of this subsection shall be
18 reduced for vocational full-time equivalent enrollments. Staff
19 allocations for small school enrollments in grades K-6 shall be the
20 greater of that generated under (a) of this subsection, or under (d)
21 and (e) of this subsection. Certificated staffing allocations shall be
22 as follows:

23 (a) On the basis of each 1,000 average annual full-time equivalent
24 enrollments, excluding full-time equivalent enrollment otherwise
25 recognized for certificated staff unit allocations under (d) through
26 (g) of this subsection:

27 (i) Four certificated administrative staff units per thousand full-
28 time equivalent students in grades K-12;

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

34 (B) All other districts shall be allocated a minimum of forty-nine
35 certificated instructional staff units per 1,000 full-time-equivalent
36 (FTE) students in grades K through four, and shall be allocated
37 additional certificated instructional staff units to equal the

1 documented staffing level in grades K through four, up to a maximum of
2 fifty-three and two-tenths certificated instructional staff units per
3 1,000 FTE students.

4 (C) Certificated instructional staff allocations in this subsection
5 (2)(a)(ii) exceeding the statutory minimums established in RCW
6 28A.150.260 shall not be considered part of basic education.

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

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

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

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

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

28 (ii) Vocational full-time equivalent enrollment shall be reported
29 on the same monthly basis as the enrollment for students eligible for
30 basic support, and payments shall be adjusted for reported vocational
31 enrollments on the same monthly basis as those adjustments for
32 enrollment for students eligible for basic support; and

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

36 (d) For districts enrolling not more than twenty-five average
37 annual full-time equivalent students in grades K-8, and for small
38 school plants within any school district which have been judged to be

1 remote and necessary by the state board of education and enroll not
2 more than twenty-five average annual full-time equivalent students in
3 grades K-8:

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

9 (ii) For those enrolling students in grades 7 or 8, 1.68
10 certificated instructional staff units and 0.32 certificated
11 administrative staff units for enrollment of not more than five
12 students, plus one-tenth of a certificated instructional staff unit for
13 each additional student enrolled;

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

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

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

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

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

35 (ii) For all other small high schools under this subsection, nine
36 certificated instructional staff units and one-half of a certificated
37 administrative staff unit for the first sixty average annual full time
38 equivalent students, and additional staff units based on a ratio of

1 0.8732 certificated instructional staff units and 0.1268 certificated
2 administrative staff units per each additional forty-three and one-half
3 average annual full time equivalent students.

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

8 (g) For each nonhigh school district having an enrollment of more
9 than seventy annual average full-time equivalent students and less than
10 one hundred eighty students, operating a grades K-8 program or a grades
11 1-8 program, an additional one-half of a certificated instructional
12 staff unit; and

13 (h) For each nonhigh school district having an enrollment of more
14 than fifty annual average full-time equivalent students and less than
15 one hundred eighty students, operating a grades K-6 program or a grades
16 1-6 program, an additional one-half of a certificated instructional
17 staff unit.

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

21 (a) For enrollments generating certificated staff unit allocations
22 under subsection (2)(e) through (h) of this section, one classified
23 staff unit for each 2.94 certificated staff units allocated under such
24 subsections;

25 (b) For all other enrollment in grades K-12, including vocational
26 full-time equivalent enrollments, one classified staff unit for each
27 58.75 average annual full-time equivalent students; and

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

32 (4) Fringe benefit allocations shall be calculated at a rate of
33 14.43 percent in the 2009-10 school year and 14.43 percent in the 2010-
34 11 school year for certificated salary allocations provided under
35 subsection (2) of this section, and a rate of 16.58 percent in the
36 2009-10 school year and 16.58 percent in the 2010-11 school year for
37 classified salary allocations provided under subsection (3) of this
38 section.

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

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

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

12 (6)(a) For nonemployee-related costs associated with each
13 certificated staff unit allocated under subsection (2)(a), (b), and (d)
14 through (g) of this section, there shall be provided a maximum of
15 \$10,179 per certificated staff unit in the 2009-10 school year and a
16 maximum of \$10,445 per certificated staff unit in the 2010-11 school
17 year.

18 (b) For nonemployee-related costs associated with each vocational
19 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
20 section, there shall be provided a maximum of \$24,999 per certificated
21 staff unit in the 2009-10 school year and a maximum of \$25,449 per
22 certificated staff unit in the 2010-11 school year.

23 (c) For nonemployee-related costs associated with each vocational
24 certificated staff unit allocated under subsection (2)(c)(i)(B) of this
25 section, there shall be provided a maximum of \$19,395 per certificated
26 staff unit in the 2009-10 school year and a maximum of \$19,744 per
27 certificated staff unit in the 2010-11 school year.

28 (7) Allocations for substitute costs for classroom teachers shall
29 be distributed at a maintenance rate of \$607.44 for the 2009-10 and
30 2010-11 school years per allocated classroom teachers exclusive of
31 salary increase amounts provided in section 504 of this act. Solely
32 for the purposes of this subsection, allocated classroom teachers shall
33 be equal to the number of certificated instructional staff units
34 allocated under subsection (2) of this section, multiplied by the ratio
35 between the number of actual basic education certificated teachers and
36 the number of actual basic education certificated instructional staff
37 reported statewide for the prior school year.

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

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

13 (10)(a) The superintendent may distribute a maximum of \$7,288,000
14 outside the basic education formula during fiscal years 2010 and 2011
15 as follows:

16 (i) For fire protection for school districts located in a fire
17 protection district as now or hereafter established pursuant to chapter
18 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010
19 and a maximum of \$577,000 may be expended in fiscal year 2011;

20 (ii) For summer vocational programs at skills centers, a maximum of
21 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of
22 \$2,385,000 for the 2011 fiscal year. 20 percent of each fiscal year
23 amount may carry over from one year to the next;

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

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

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

35 (11) For purposes of RCW 84.52.0531, the increase per full-time
36 equivalent student is 4.0 percent from the 2008-09 school year to the
37 2009-10 school year and 4.0 percent from the 2009-10 school year to the
38 2010-11 school year.

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

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

9 (b) For the fourth through eighth school years following
10 consolidation, the difference between the basic education formula staff
11 units received by the districts for the school year prior to
12 consolidation and the basic education formula staff units after
13 consolidation pursuant to subsection (2)(a) through (h) of this section
14 shall be reduced in increments of twenty percent per year.

15 NEW SECTION. **Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC**
16 **INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION.** (1) The following
17 calculations determine the salaries used in the general fund
18 allocations for certificated instructional, certificated
19 administrative, and classified staff units under section 502 of this
20 act:

21 (a) Salary allocations for certificated instructional staff units
22 shall be determined for each district by multiplying the district's
23 certificated instructional total base salary shown on LEAP Document 2
24 by the district's average staff mix factor for certificated
25 instructional staff in that school year, computed using LEAP Document
26 1; and

27 (b) Salary allocations for certificated administrative staff units
28 and classified staff units for each district shall be based on the
29 district's certificated administrative and classified salary allocation
30 amounts shown on LEAP Document 2.

31 (2) For the purposes of this section:

32 (a) "LEAP Document 1" means the staff mix factors for certificated
33 instructional staff according to education and years of experience, as
34 developed by the legislative evaluation and accountability program
35 committee on April 22, 2009, at 08:22 hours; and

36 (b) "LEAP Document 2" means the school year salary allocations for
37 certificated administrative staff and classified staff and derived and

1 total base salaries for certificated instructional staff as developed
 2 by the legislative evaluation and accountability program committee on
 3 April 22, 2009, at 08:22 hours.

4 (3) Incremental fringe benefit factors shall be applied to salary
 5 adjustments at a rate of 14.43 percent for school year 2009-10 and
 6 14.43 percent for school year 2010-11 for certificated staff and for
 7 classified staff 16.58 percent for school year 2009-10 and 16.58
 8 percent for the 2010-11 school year.

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

12 Table Of Total Base Salaries For Certificated Instructional Staff
 13 For School Year 2009-10

14	Years of										MA+90
15	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	or PHD	
16	0	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128	46,115	
17	1	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617	46,589	
18	2	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067	47,061	
19	3	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538	
20	4	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030	
21	5	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523	
22	6	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993	
23	7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989	
24	8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512	
25	9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081	
26	10			43,877	45,498	48,794	51,195	48,995	52,291	54,692	
27	11				47,032	50,399	52,849	50,528	53,897	56,345	
28	12				48,517	52,048	54,571	52,122	55,545	58,068	
29	13					53,737	56,335	53,773	57,234	59,831	
30	14					55,434	58,165	55,471	59,042	61,663	
31	15					56,877	59,679	56,913	60,577	63,266	
32	16 or more					58,014	60,871	58,051	61,788	64,531	

33 Table Of Total Base Salaries For Certificated Instructional Staff

For School Year 2010-11

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128	46,115
1	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617	46,589
2	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067	47,061
3	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538
4	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030
5	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523
6	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993
7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
10			43,877	45,498	48,794	51,195	48,995	52,291	54,692
11				47,032	50,399	52,849	50,528	53,897	56,345
12				48,517	52,048	54,571	52,122	55,545	58,068
13					53,737	56,335	53,773	57,234	59,831
14					55,434	58,165	55,471	59,042	61,663
15					56,877	59,679	56,913	60,577	63,266
16 or more					58,014	60,871	58,051	61,788	64,531

(b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.
- (d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.

1 (e) "Credits" means college quarter hour credits and equivalent in-
2 service credits computed in accordance with RCW 28A.415.020 and
3 28A.415.023.

4 (6) No more than ninety college quarter-hour credits received by
5 any employee after the baccalaureate degree may be used to determine
6 compensation allocations under the state salary allocation schedule and
7 LEAP documents referenced in this act, or any replacement schedules and
8 documents, unless:

9 (a) The employee has a masters degree; or

10 (b) The credits were used in generating state salary allocations
11 before January 1, 1992.

12 (7) The certificated instructional staff base salary specified for
13 each district in LEAP Document 2 and the salary schedules in subsection
14 (4)(a) of this section include one learning improvement day. A school
15 district is eligible for the learning improvement day funds only if the
16 learning improvement day has been added to the 180-day contract year.
17 If fewer days are added, the additional learning improvement allocation
18 shall be adjusted accordingly. The additional day shall be limited to
19 specific activities identified in the state required school improvement
20 plan related to improving student learning that are consistent with
21 education reform implementation, and shall not be considered part of
22 basic education. The principal in each school shall assure that the
23 days are used to provide the necessary school-wide, all staff
24 professional development that is tied directly to the school
25 improvement plan. The school principal and the district superintendent
26 shall maintain documentation as to their approval of these activities.
27 The length of a learning improvement day shall not be less than the
28 length of a full day under the base contract. The superintendent of
29 public instruction shall ensure that school districts adhere to the
30 intent and purposes of this subsection.

31 (8) The salary allocation schedules established in this section are
32 for allocation purposes only except as provided in RCW 28A.400.200(2).

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

35	General Fund--State Appropriation (FY 2010)	(\$4,215,000)
36	General Fund--State Appropriation (FY 2011)	\$14,172,000
37	General Fund--Federal Appropriation	\$6,000

1 TOTAL APPROPRIATION \$9,963,000

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

4 (1)(a) Additional salary adjustments as necessary to fund the base
5 salaries for certificated instructional staff as listed for each
6 district in LEAP Document 2, defined in section 503(2)(b) of this act.
7 Allocations for these salary adjustments shall be provided to all
8 districts that are not grandfathered to receive salary allocations
9 above the statewide salary allocation schedule, and to certain
10 grandfathered districts to the extent necessary to ensure that salary
11 allocations for districts that are currently grandfathered do not fall
12 below the statewide salary allocation schedule.

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

20 (c) Additional salary adjustments to certain districts as necessary
21 to fund the per full-time-equivalent salary allocations for classified
22 staff as listed for each district in LEAP Document 2, defined in
23 section 503(2)(b) of this act. These salary adjustments ensure a
24 minimum salary allocation for classified staff of \$31,865 in the 2009-
25 10 school year and \$31,865 in the 2010-11 school year.

26 (d) The appropriations in this subsection (1) include associated
27 incremental fringe benefit allocations at rates 13.79 percent for the
28 2009-10 school year and 13.79 percent for the 2010-11 school year for
29 certificated staff and 13.08 percent for the 2009-10 school year and
30 13.08 percent for the 2010-11 school year for classified staff.

31 (e) The appropriations in this section include the increased or
32 decreased portion of salaries and incremental fringe benefits for all
33 relevant state-funded school programs in part V of this act. Changes
34 for general apportionment (basic education) are based on the salary
35 allocation schedules and methodology in sections 502 and 503 of this
36 act. Changes for special education result from changes in each
37 district's basic education allocation per student. Changes for
38 educational service districts and institutional education programs are

1 General Fund--State Appropriation (FY 2011) \$307,070,000
2 TOTAL APPROPRIATION \$614,427,000

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

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

8 (2) A maximum of \$878,000 of this fiscal year 2010 appropriation
9 and a maximum of \$894,000 of the fiscal year 2011 appropriation may be
10 expended for regional transportation coordinators and related
11 activities. The transportation coordinators shall ensure that data
12 submitted by school districts for state transportation funding shall,
13 to the greatest extent practical, reflect the actual transportation
14 activity of each district.

15 (3) Allocations for transportation of students shall be based on
16 reimbursement rates of \$48.15 per weighted mile in the 2009-10 school
17 year and \$48.40 per weighted mile in the 2010-11 school year exclusive
18 of salary and benefit adjustments provided in section 504 of this act.
19 Allocations for transportation of students transported more than one
20 radius mile shall be based on weighted miles as determined by
21 superintendent of public instruction multiplied by the per mile
22 reimbursement rates for the school year pursuant to the formulas
23 adopted by the superintendent of public instruction. Allocations for
24 transportation of students living within one radius mile shall be based
25 on the number of enrolled students in grades kindergarten through five
26 living within one radius mile of their assigned school multiplied by
27 the per mile reimbursement rate for the school year multiplied by 1.29.

28 (4) The office of the superintendent of public instruction shall
29 provide reimbursement funding to a school district only after the
30 superintendent of public instruction determines that the school bus was
31 purchased from the list established pursuant to RCW 28A.160.195(2) or
32 a comparable competitive bid process based on the lowest price quote
33 based on similar bus categories to those used to establish the list
34 pursuant to RCW 28A.160.195.

35 (5) The superintendent of public instruction shall base
36 depreciation payments for school district buses on the five-year
37 average of lowest bids in the appropriate category of bus. In the

1 final year on the depreciation schedule, the depreciation payment shall
2 be based on the lowest bid in the appropriate bus category for that
3 school year.

4 (6) Funding levels in this section reflect reductions from the
5 implementation of Substitute House Bill No. 1292 (authorizing waivers
6 from the one hundred eighty-day school year requirement in order to
7 allow four-day school weeks).

8 NEW SECTION. **Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC**
9 **INSTRUCTION--FOR SCHOOL FOOD SERVICE PROGRAMS**

10	General Fund--State Appropriation (FY 2010)	\$3,159,000
11	General Fund--State Appropriation (FY 2011)	\$3,159,000
12	General Fund--Federal Appropriation	\$281,988,000
13	TOTAL APPROPRIATION	\$288,306,000

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

16 (1) \$3,000,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$3,000,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided for state matching money for federal
19 child nutrition programs.

20 (2) \$100,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$100,000 of the 2011 fiscal year appropriation are
22 provided for summer food programs for children in low-income areas.

23 (3) \$59,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$59,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely to reimburse school districts for
26 school breakfasts served to students enrolled in the free or reduced
27 price meal program pursuant to chapter 287, Laws of 2005 (requiring
28 school breakfast programs in certain schools).

29 (4) \$1,588,000 of the general fund--federal appropriation of
30 American recovery and reinvestment act of 2009 (ARRA) funds is provided
31 solely for equipment assistance to school food authorities (SFAs)
32 participating in the national school lunch program (NSLP). Local SFAs
33 may apply to the office of the superintendent of public instruction to
34 receive grants in accordance with provisions of the ARRA. As
35 stipulated in the ARRA, priority will be given to SFAs for equipment
36 for schools in which at least 50 percent of the students are eligible
37 for free or reduced-priced meals.

1 five and not yet enrolled in kindergarten; and (b) the second category
2 includes students who are eligible for the mandatory special education
3 program and who are age five and enrolled in kindergarten and students
4 age six through 21.

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

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

12 (ii) A district's annual average full-time equivalent basic
13 education enrollment multiplied by the funded enrollment percent
14 determined pursuant to subsection (6)(b) of this section, multiplied by
15 the district's average basic education allocation per full-time
16 equivalent student multiplied by 0.9309.

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

21 (6) The definitions in this subsection apply throughout this
22 section.

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

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

34 Each district's general fund--state funded special education
35 enrollment shall be the lesser of the district's actual enrollment
36 percent or 12.7 percent.

37 (7) At the request of any interdistrict cooperative of at least 15
38 districts in which all excess cost services for special education

1 students of the districts are provided by the cooperative, the maximum
2 enrollment percent shall be calculated in accordance with subsection
3 (6)(b) of this section, and shall be calculated in the aggregate rather
4 than individual district units. For purposes of this subsection, the
5 average basic education allocation per full-time equivalent student
6 shall be calculated in the aggregate rather than individual district
7 units.

8 (8) To the extent necessary, \$73,668,000 of the general fund--state
9 appropriation and \$29,574,000 of the general fund--federal
10 appropriation are provided for safety net awards for districts with
11 demonstrated needs for special education funding beyond the amounts
12 provided in subsection (5) of this section. If the federal safety net
13 awards based on the federal eligibility threshold exceed the federal
14 appropriation in this subsection (8) in any fiscal year, the
15 superintendent shall expend all available federal discretionary funds
16 necessary to meet this need. Safety net funds shall be awarded by the
17 state safety net oversight committee subject to the following
18 conditions and limitations:

19 (a) The committee shall consider unmet needs for districts that can
20 convincingly demonstrate that all legitimate expenditures for special
21 education exceed all available revenues from state funding formulas.
22 In the determination of need, the committee shall also consider
23 additional available revenues from federal sources. Differences in
24 program costs attributable to district philosophy, service delivery
25 choice, or accounting practices are not a legitimate basis for safety
26 net awards. In the determination of need, the committee shall require
27 that districts demonstrate that they are maximizing their eligibility
28 for all state and federal revenues related to services for special
29 education-eligible students. Awards associated with (b) and (c) of
30 this subsection shall not exceed the total of a district's specific
31 determination of need.

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

37 (c) Using criteria developed by the committee, the committee shall
38 then consider extraordinary costs associated with communities that draw

1 a larger number of families with children in need of special education
2 services. The safety net awards to school districts shall be adjusted
3 to reflect amounts awarded under (b) of this subsection.

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

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

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

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

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

21 (a) One staff from the office of superintendent of public
22 instruction;

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

25 (c) One or more representatives from school districts or
26 educational service districts knowledgeable of special education
27 programs and funding.

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

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

37 (13) The superintendent shall maintain the percentage of federal
38 flow-through to school districts at 85 percent. In addition to other

1 development related to mathematics and science curriculum and
 2 instructional strategies. Funding shall be distributed among the
 3 educational service districts in the same proportion as distributions
 4 in the 2007-2009 biennium. Each educational service district shall use
 5 this funding solely for salary and benefits for a certificated
 6 instructional staff with expertise in the appropriate subject matter
 7 and in professional development delivery, and for travel, materials,
 8 and other expenditures related to providing regional professional
 9 development support. The office of superintendent of public
 10 instruction shall also allocate to each educational service district
 11 additional amounts provided in section 504 of this act for compensation
 12 increases associated with the salary amounts and staffing provided in
 13 this subsection (2).

14 (3) The educational service districts, at the request of the state
 15 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may
 16 receive and screen applications for school accreditation, conduct
 17 school accreditation site visits pursuant to state board of education
 18 rules, and submit to the state board of education post-site visit
 19 recommendations for school accreditation. The educational service
 20 districts may assess a cooperative service fee to recover actual plus
 21 reasonable indirect costs for the purposes of this subsection.

22 NEW SECTION. **Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC**
 23 **INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE**

24	General Fund--State Appropriation (FY 2010)	\$42,921,000
25	General Fund--State Appropriation (FY 2011)	\$209,997,000
26	General Fund--Federal Appropriation	\$176,284,000
27	TOTAL APPROPRIATION	\$429,202,000

28 The appropriations in this section are subject to the following
 29 conditions and limitations: \$176,284,000 of the general fund--federal
 30 appropriation for fiscal year 2010 is provided solely for American
 31 recovery and reinvestment act of 2009 (ARRA) fiscal stabilization funds
 32 to restore state reductions for local effort assistance payments.

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

35	General Fund--State Appropriation (FY 2010)	\$18,943,000
36	General Fund--State Appropriation (FY 2011)	\$17,992,000

1 TOTAL APPROPRIATION \$36,935,000

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

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

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

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

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

19 (5) \$329,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$329,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely to maintain at least one
22 certificated instructional staff and related support services at an
23 institution whenever the K-12 enrollment is not sufficient to support
24 one full-time equivalent certificated instructional staff to furnish
25 the educational program. The following types of institutions are
26 included: Residential programs under the department of social and
27 health services for developmentally disabled juveniles, programs for
28 juveniles under the department of corrections, and programs for
29 juveniles under the juvenile rehabilitation administration.

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

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

34	General Fund--State Appropriation (FY 2010)	\$9,430,000
35	General Fund--State Appropriation (FY 2011)	\$9,437,000
36	TOTAL APPROPRIATION	\$18,867,000

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

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

6 (2) Allocations for school district programs for highly capable
7 students shall be distributed at a maximum rate of \$401.08 per funded
8 student for the 2009-10 school year and \$401.08 per funded student for
9 the 2010-11 school year, exclusive of salary and benefit adjustments
10 pursuant to section 504 of this act. The number of funded students
11 shall be a maximum of 2.314 percent of each district's full-time
12 equivalent basic education enrollment.

13 (3) \$90,000 of the fiscal year 2010 appropriation and \$90,000 of
14 the fiscal year 2011 appropriation are provided for the Washington
15 destination imagination network and future problem-solving programs.

16 (4) \$170,000 of the fiscal year 2010 appropriation and \$170,000 of
17 the fiscal year 2011 appropriation are provided for the centrum program
18 at Fort Worden state park.

19 NEW SECTION. **Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC**
20 **INSTRUCTION--FOR MISCELLANEOUS PURPOSES UNDER THE ELEMENTARY AND**
21 **SECONDARY SCHOOL IMPROVEMENT ACT AND THE NO CHILD LEFT BEHIND ACT**

22 General Fund--Federal Appropriation \$43,450,000

23 NEW SECTION. **Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC**
24 **INSTRUCTION--EDUCATION REFORM PROGRAMS**

25 General Fund--State Appropriation (FY 2010) \$95,181,000

26 General Fund--State Appropriation (FY 2011) \$102,512,000

27 General Fund--Federal Appropriation \$152,626,000

28 Education Legacy Trust Account--State
29 Appropriation \$95,112,000

30 TOTAL APPROPRIATION \$445,431,000

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

33 (1) \$36,806,000 of the general fund--state appropriation for fiscal
34 year 2010, \$34,516,000 of the general fund--state appropriation for
35 fiscal year 2011, \$1,350,000 of the education legacy trust
36 account--state appropriation, and \$15,868,000 of the general fund--

1 federal appropriation are provided solely for development and
2 implementation of the Washington assessments of student learning
3 (WASL), including: (i) Development and implementation of retake
4 assessments for high school students who are not successful in one or
5 more content areas of the WASL; and (ii) development and implementation
6 of alternative assessments or appeals procedures to implement the
7 certificate of academic achievement. The superintendent of public
8 instruction shall report quarterly on the progress on development and
9 implementation of alternative assessments or appeals procedures.
10 Within these amounts, the superintendent of public instruction shall
11 contract for the early return of 10th grade student WASL results, on or
12 around June 10th of each year.

13 (2) \$3,249,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$3,249,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the design of the state
16 assessment system and the implementation of end of course assessments
17 for high school math.

18 (3) \$1,014,000 of the education legacy trust account appropriation
19 is provided solely for allocations to districts for salaries and
20 benefits for the equivalent of two additional professional development
21 days for fourth and fifth grade teachers during the 2008-2009 school
22 year. The allocations shall be made based on the calculations of
23 certificated instructional staff units for fourth and fifth grade
24 provided in section 502 of this act and on the calculations of
25 compensation provided in sections 503 and 504 of this act. Districts
26 may use the funding to support additional days for professional
27 development as well as job-embedded forms of professional development.

28 (4) \$3,241,000 of the education legacy trust fund appropriation is
29 provided solely for allocations to districts for salaries and benefits
30 for the equivalent of three additional professional development days
31 for middle and high school math and science teachers during the 2008-
32 2009 school year, as well as specialized training for one math and
33 science teacher in each middle school and high school during the 2008-
34 2009 school year. Districts may use the funding to support additional
35 days for professional development as well as job-embedded forms of
36 professional development.

37 (5) \$3,850,000 of the education legacy trust account--state
38 appropriation is provided solely for a math and science instructional

1 coaches program pursuant to chapter 396, Laws of 2007. Funding shall
2 be used to provide grants to schools and districts to provide salaries,
3 benefits, and professional development activities for up to twenty-five
4 instructional coaches in middle and high school math and twenty-five
5 instructional coaches in middle and high school science in each year of
6 the biennium; and up to \$300,000 may be used by the office of the
7 superintendent of public instruction to administer and coordinate the
8 program.

9 (6) \$1,781,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$1,943,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely to allow approved middle and
12 junior high school career and technical education programs to receive
13 enhanced vocational funding. The office of the superintendent of
14 public instruction shall provide allocations to districts for middle
15 and junior high school students in accordance with the funding formulas
16 provided in section 502 of this act. If Second Substitute Senate Bill
17 No. 5676 is enacted the allocations are formula-driven, otherwise the
18 office of the superintendent shall consider the funding provided in
19 this subsection as a fixed amount, and shall adjust funding to stay
20 within the amounts provided in this subsection.

21 (7) \$139,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$139,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for (a) staff at the office of the
24 superintendent of public instruction to coordinate and promote efforts
25 to develop integrated math, science, technology, and engineering
26 programs in schools and districts across the state; and (b) grants of
27 \$2,500 to provide twenty middle and high school teachers each year
28 professional development training for implementing integrated math,
29 science, technology, and engineering program in their schools.

30 (8) \$1,579,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$1,579,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for the Washington state
33 leadership and assistance for science education reform (LASER) regional
34 partnership activities coordinated at the Pacific science center,
35 including instructional material purchases, teacher and principal
36 professional development, and school and community engagement events.
37 Funding shall be distributed to the various LASER activities in a

1 manner proportional to LASER program spending during the 2007-2009
2 biennium.

3 (9) \$81,010,000 of the education legacy trust account--state
4 appropriation is provided solely for grants for voluntary full-day
5 kindergarten at the highest poverty schools, as provided in chapter
6 400, Laws of 2007. The office of the superintendent of public
7 instruction shall provide allocations to districts for recipient
8 schools in accordance with the funding formulas provided in section 502
9 of this act. Each kindergarten student who enrolls for the voluntary
10 full-day program in a recipient school shall count as one-half of one
11 full-time equivalent student for the purpose of making allocations
12 under this subsection. Although the allocations are formula-driven,
13 the office of the superintendent shall consider the funding provided in
14 this subsection as a fixed amount, and shall limit the number of
15 recipient schools so as to stay within the amounts appropriated each
16 fiscal year in this subsection. The funding provided in this
17 subsection is estimated to provide full-day kindergarten programs for
18 20 percent of kindergarten enrollment. Funding priority shall be given
19 to schools with the highest poverty levels, as measured by prior year
20 free and reduced priced lunch eligibility rates in each school.
21 Additionally, as a condition of funding, school districts must agree to
22 provide the full-day program to the children of parents who request it
23 in each eligible school. For the purposes of calculating a school
24 district levy base, funding provided in this subsection shall be
25 considered a state block grant program under RCW 84.52.0531.

26 (a) Of the amounts provided in this subsection, a maximum of
27 \$272,000 may be used for administrative support of the full-day
28 kindergarten program within the office of the superintendent of public
29 instruction.

30 (b) Student enrollment pursuant to this program shall not be
31 included in the determination of a school district's overall K-12 FTE
32 for the allocation of student achievement programs and other funding
33 formulas unless specifically stated.

34 (10) \$700,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$900,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for the development of a
37 leadership academy for school principals and administrators. The
38 superintendent of public instruction shall contract with an independent

1 organization to design, field test, and implement a state-of-the-art
2 education leadership academy that will be accessible throughout the
3 state. Initial development of the content of the academy activities
4 shall be supported by private funds. Semiannually the independent
5 organization shall report on amounts committed by foundations and
6 others to support the development and implementation of this program.
7 Leadership academy partners, with varying roles, shall include the
8 state level organizations for school administrators and principals, the
9 superintendent of public instruction, the professional educator
10 standards board, and others as the independent organization shall
11 identify.

12 (11) \$105,754,000 of the general fund--federal appropriation is
13 provided for preparing, training, and recruiting high quality teachers
14 and principals under Title II of the no child left behind act.

15 (12) \$3,046,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$3,046,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely to the office of the
18 superintendent of public instruction for focused assistance. The
19 office of the superintendent of public instruction shall conduct
20 educational audits of low-performing schools and enter into performance
21 agreements between school districts and the office to implement the
22 recommendations of the audit and the community. Funding in this
23 subsection may be used for focused assistance programs for individual
24 schools as well as school districts.

25 (13) \$30,702,000 of the general fund--federal appropriation is
26 provided for the reading first program under Title I of the no child
27 left behind act.

28 (14) \$1,667,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$1,667,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely to eliminate the lunch co-pay for
31 students in grades kindergarten through third grade that are eligible
32 for reduced price lunch.

33 (15) \$5,285,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$5,285,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for: (a) The meals for kids
36 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the
37 breakfast co-pay for students eligible for reduced price lunch; and (c)

1 for additional assistance for school districts initiating a summer food
2 service program.

3 (16) \$1,056,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$1,056,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for the Washington reading corps.
6 The superintendent shall allocate reading corps members to low-
7 performing schools and school districts that are implementing
8 comprehensive, proven, research-based reading programs. Two or more
9 schools may combine their Washington reading corps programs. Grants
10 provided under this section may be used by school districts for
11 expenditures from September 2009 through August 31, 2011.

12 (17) \$3,594,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$3,594,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for grants to school districts to
15 provide a continuum of care for children and families to help children
16 become ready to learn. Grant proposals from school districts shall
17 contain local plans designed collaboratively with community service
18 providers. If a continuum of care program exists in the area in which
19 the school district is located, the local plan shall provide for
20 coordination with existing programs to the greatest extent possible.
21 Grant funds shall be allocated pursuant to RCW 70.190.040.

22 (18) \$1,959,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$1,959,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for improving technology
25 infrastructure, monitoring and reporting on school district technology
26 development, promoting standards for school district technology,
27 promoting statewide coordination and planning for technology
28 development, and providing regional educational technology support
29 centers, including state support activities, under chapter 28A.650 RCW.

30 (19) \$225,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$225,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for the operation of the center
33 for the improvement of student learning pursuant to RCW 28A.300.130.

34 (20) \$250,000 of the education legacy trust account--state
35 appropriation is provided solely for costs associated with the office
36 of the superintendent of public instruction's statewide director of
37 technology position.

1 (21)(a) \$28,270,000 of the general fund--state appropriation for
2 fiscal year 2010 and \$36,513,000 of the general fund--state
3 appropriation for fiscal year 2011 are provided solely for the
4 following bonuses for teachers who hold valid, unexpired certification
5 from the national board for professional teaching standards and who are
6 teaching in a Washington public school, subject to the following
7 conditions and limitations:

8 (i) For national board certified teachers, a bonus of \$5,000 per
9 teacher beginning in the 2007-08 school year and adjusted for inflation
10 in each school year thereafter in which Initiative 732 cost of living
11 adjustments are provided. National board certified teachers who become
12 public school principals shall continue to receive this bonus for as
13 long as they are principals and maintain the national board
14 certification;

15 (ii) An additional \$5,000 annual bonus shall be paid to national
16 board certified teachers who teach in either: (A) High schools where
17 at least 50 percent of student headcount enrollment is eligible for
18 federal free or reduced price lunch, (B) middle schools where at least
19 60 percent of student headcount enrollment is eligible for federal free
20 or reduced price lunch, or (C) elementary schools where at least 70
21 percent of student headcount enrollment is eligible for federal free or
22 reduced price lunch;

23 (iii) The superintendent of public instruction shall adopt rules to
24 ensure that national board certified teachers meet the qualifications
25 for bonuses under (a)(ii) of this subsection for less than one full
26 school year receive bonuses in a pro-rated manner; and

27 (iv) During the 2009-10 and 2010-11 school years, and within the
28 available appropriation, certificated instructional staff who have met
29 the eligibility requirements and have applied for certification from
30 the national board for professional teaching standards may receive a
31 conditional two thousand dollars or the amount set by the office of the
32 superintendent of public instruction to contribute toward the current
33 assessment fee, not including the initial up-front candidacy payment.
34 The fee shall be an advance on the first annual bonus under RCW
35 28A.405.415. The assessment fee for national certification is provided
36 in addition to compensation received under a district's salary schedule
37 adopted in accordance with RCW 28A.405.200 and shall not be included in
38 calculations of a district's average salary and associated salary

1 limitation under RCW 28A.400.200. Recipients who fail to receive
2 certification after three years are required to repay the assessment
3 fee, not including the initial up-front candidacy payment, as set by
4 the national board for professional teaching standards and administered
5 by the office of the superintendent of public instruction. The office
6 of the superintendent of public instruction shall adopt rules to define
7 the terms for initial grant of the assessment fee and repayment,
8 including applicable fees.

9 (b) Included in the amounts provided in this subsection are amounts
10 for mandatory fringe benefits.

11 (22) \$2,750,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$2,750,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for secondary career and technical
14 education grants pursuant to chapter 170, Laws of 2008. This funding
15 may additionally be used to support FIRST Robotics programs.

16 (23) \$300,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$300,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the local farms-healthy kids
19 program as described in chapter 215, Laws of 2008.

20 (24) \$2,348,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$2,348,000 of the general fund--state appropriation for
22 fiscal year 2011 are appropriated for a beginning educator support
23 program. School districts and/or regional consortia may apply for
24 grant funding beginning in the 2009-10 school year. The superintendent
25 shall implement this program in 5 to 15 school districts and/or
26 regional consortia. The program provided by a district and/or regional
27 consortia shall include: A paid orientation; assignment of a qualified
28 mentor; development of a professional growth plan for each beginning
29 teacher aligned with professional certification; release time for
30 mentors and new teachers to work together, and teacher observation time
31 with accomplished peers. \$250,000 may be used to provide state-wide
32 professional development opportunities for mentors and beginning
33 educators. The superintendent of public instruction shall adopt rules
34 to establish and operate a research-based beginning educator support
35 program no later than August 31, 2009. OSPI must evaluate the
36 program's progress and may contract for this work. A report to the
37 legislature about the beginning educator support program is due
38 November 1, 2010.

1 (25) \$4,400,000 of the education legacy trust account--state
2 appropriation is provided solely for the development and implementation
3 of diagnostic assessments, consistent with the recommendations of the
4 Washington assessment of student learning work group.

5 (26) \$70,000 of the general fund--state appropriation for fiscal
6 year 2010 is provided solely for implementation of Engrossed Substitute
7 Senate Bill No. 5414 (statewide assessments and curricula).

8 (27) \$530,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$530,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the leadership internship
11 program for superintendents, principals, and program administrators.

12 NEW SECTION. **Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC**
13 **INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS**

14	General Fund--State Appropriation (FY 2010)	\$77,994,000
15	General Fund--State Appropriation (FY 2011)	\$80,937,000
16	General Fund--Federal Appropriation	\$45,263,000
17	TOTAL APPROPRIATION	\$204,194,000

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

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

23 (2) The superintendent shall distribute a maximum of \$901.46 per
24 eligible bilingual student in the 2009-10 school year and \$901.46 in
25 the 2010-11 school year, exclusive of salary and benefit adjustments
26 provided in section 504 of this act.

27 (3) The superintendent may withhold up to 1.5 percent of the school
28 year allocations to school districts in subsection (2) of this section,
29 and adjust the per eligible pupil rates in subsection (2) of this
30 section accordingly, solely for the central provision of assessments as
31 provided in RCW 28A.180.090 (1) and (2).

32 (4) \$70,000 of the amounts appropriated in this section are
33 provided solely to track current and former transitional bilingual
34 program students.

35 (5) The general fund--federal appropriation in this section is
36 provided for migrant education under Title I Part C and English

1 language acquisition, and language enhancement grants under Title III
2 of the elementary and secondary education act.

3 NEW SECTION. **Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC**
4 **INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM**

5	General Fund--State Appropriation (FY 2010)	\$101,067,000
6	General Fund--State Appropriation (FY 2011)	\$102,237,000
7	General Fund--Federal Appropriation	\$543,925,000
8	Education Legacy Trust Account--State	
9	Appropriation	\$47,980,000
10	TOTAL APPROPRIATION	\$795,209,000

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

13 (1) The general fund--state appropriations in this section are
14 subject to the following conditions and limitations:

15 (a) The appropriations include such funds as are necessary to
16 complete the school year ending in the fiscal year and for prior fiscal
17 year adjustments.

18 (b) Funding for school district learning assistance programs shall
19 be allocated at maximum rates of \$281.71 per funded student for the
20 2009-10 school year and \$282.63 per funded student for the 2010-11
21 school year exclusive of salary and benefit adjustments provided under
22 section 504 of this act.

23 (c) A school district's funded students for the learning assistance
24 program shall be the sum of the following as appropriate:

25 (i) The district's full-time equivalent enrollment in grades K-12
26 for the prior school year multiplied by the district's percentage of
27 October headcount enrollment in grades K-12 eligible for free or
28 reduced price lunch in the prior school year; and

29 (ii) If, in the prior school year, the district's percentage of
30 October headcount enrollment in grades K-12 eligible for free or
31 reduced price lunch exceeded forty percent, subtract forty percent from
32 the district's percentage and multiply the result by the district's K-
33 12 annual average full-time equivalent enrollment for the prior school
34 year.

35 (d) In addition to the amounts allocated in (b) and (c) of this
36 subsection, an additional amount shall be allocated to school districts

1 with high concentrations of poverty and English language learner
2 students, subject to the following rules and conditions:

3 (i) To qualify for additional funding under this subsection, a
4 district's October headcount enrollment in grades kindergarten through
5 grade twelve must have at least twenty percent enrolled in the
6 transitional bilingual instruction program based on an average of the
7 program headcount taken in October and May of the prior school year;
8 and must also have at least forty percent eligible for free or reduced
9 price lunch based on October headcount enrollment in grades
10 kindergarten through twelve in the prior school year.

11 (ii) Districts meeting the specifications in (d)(i) of this
12 subsection shall receive additional funded students for the learning
13 assistance program at the rates specified in subsection (1)(b) of this
14 section. The number of additional funded student units shall be
15 calculated by subtracting twenty percent from the district's percent
16 transitional bilingual instruction program enrollment as defined in
17 (d)(i) of this subsection, and the resulting percent shall be
18 multiplied by the district's kindergarten through twelve annual average
19 full-time equivalent enrollment for the prior school year.

20 (2) The general fund--federal appropriation in this section is
21 provided for Title I Part A allocations of the no child left behind act
22 of 2001.

23 (3) A school district may carry over from one year to the next up
24 to 10 percent of the general fund--state or education legacy trust
25 funds allocated under this program; however, carryover funds shall be
26 expended for the learning assistance program.

27 (4) School districts are encouraged to coordinate the use of these
28 funds with other federal, state, and local sources to serve students
29 who are below grade level and to make efficient use of resources in
30 meeting the needs of students with the greatest academic deficits.

31 (5) Within amounts appropriated in this section, funding is
32 provided for the implementation of extended learning programs required
33 in chapter 328, Laws of 2008.

34 (6) \$51,970,000 of the general fund--federal appropriation for
35 fiscal year 2010 and \$77,955,000 of the general fund--federal
36 appropriation for fiscal year 2011 of American recovery and
37 reinvestment act of 2009 (ARRA) Title I, Part A funds are in addition

1 to regular Title I, Part A allocations solely for allocation to
2 eligible school districts in accordance with the guidelines of ARRA.

3 (7) \$48,981,000 of the general fund--federal appropriation from the
4 American recovery and reinvestment act of 2009 (ARRA) is for school
5 improvement. This consists of 4 percent, or \$5,413,000 of the Title I,
6 Part A recovery funds which must be set aside for school improvement as
7 well as \$43,568,000 in additional school improvement funds.

8 NEW SECTION. **Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC**
9 **INSTRUCTION--FOR STUDENT ACHIEVEMENT PROGRAM**

10	General Fund--State Appropriation (FY 2011)	\$104,101,000
11	General Fund--Federal Appropriation	\$200,295,000
12	TOTAL APPROPRIATION	\$304,396,000

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

15 (1) Funding for school district student achievement programs shall
16 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-
17 10 school year and \$99.32 per FTE student for the 2010-11 school year.
18 For the purposes of this section, FTE student refers to the annual
19 average full-time equivalent enrollment of the school district in
20 grades kindergarten through twelve for the prior school year, as
21 reported to the office of the superintendent of public instruction by
22 August 31st of the previous school year.

23 (2) The appropriation is allocated for the following uses as
24 specified in RCW 28A.505.210:

25 (a) To reduce class size by hiring certificated elementary
26 classroom teachers in grades K-4 and paying nonemployee-related costs
27 associated with those new teachers;

28 (b) To make selected reductions in class size in grades 5-12, such
29 as small high school writing classes;

30 (c) To provide extended learning opportunities to improve student
31 academic achievement in grades K-12, including, but not limited to,
32 extended school year, extended school day, before-and-after-school
33 programs, special tutoring programs, weekend school programs, summer
34 school, and all-day kindergarten;

35 (d) To provide additional professional development for educators
36 including additional paid time for curriculum and lesson redesign and
37 alignment, training to ensure that instruction is aligned with state

1 standards and student needs, reimbursement for higher education costs
2 related to enhancing teaching skills and knowledge, and mentoring
3 programs to match teachers with skilled, master teachers. The funding
4 shall not be used for salary increases or additional compensation for
5 existing teaching duties, but may be used for extended year and
6 extended day teaching contracts;

7 (e) To provide early assistance for children who need
8 prekindergarten support in order to be successful in school; or

9 (f) To provide improvements or additions to school building
10 facilities which are directly related to the class size reductions and
11 extended learning opportunities under (a) through (c) of this
12 subsection (2).

13 (3) The superintendent of public instruction shall distribute the
14 school year allocation according to the monthly apportionment schedule
15 defined in RCW 28A.510.250.

16 (4) \$200,295,000 of the general fund--federal appropriation for
17 fiscal year 2010 is provided solely for American recovery and
18 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore
19 state reductions for the student achievement program.

20 NEW SECTION. **Sec. 517. K-12 CARRYFORWARD AND PRIOR SCHOOL YEAR**
21 **ADJUSTMENTS.** State general fund and state student achievement fund
22 appropriations provided to the superintendent of public instruction for
23 state entitlement programs in the public schools in this part V of this
24 act may be expended as needed by the superintendent for adjustments to
25 apportionment for prior fiscal periods. Recoveries of state general
26 fund moneys from school districts and educational service districts for
27 a prior fiscal period shall be made as reductions in apportionment
28 payments for the current fiscal period and shall be shown as prior year
29 adjustments on apportionment reports for the current period. Such
30 recoveries shall not be treated as revenues to the state, but as a
31 reduction in the amount expended against the appropriation for the
32 current fiscal period.

33 NEW SECTION. **Sec. 518. FOR THE SUPERINTENDENT OF PUBLIC**
34 **INSTRUCTION.** Appropriations made in this act to the office of the
35 superintendent of public instruction shall initially be allotted as

1 required by this act. Subsequent allotment modifications shall not
2 include transfers of moneys between sections of this act.

(End of part)

PART VI
HIGHER EDUCATION

1
2
3 NEW SECTION. **Sec. 601.** The appropriations in sections 605
4 through 611 of this act are subject to the following conditions and
5 limitations:

6 (1) "Institutions" means the institutions of higher education
7 receiving appropriations under sections 605 through 611 of this act.

8 (2) The legislature, the office of financial management, and other
9 state agencies need consistent and accurate personnel data from
10 institutions of higher education for policy planning purposes.
11 Institutions of higher education shall report personnel data to the
12 department of personnel for inclusion in the department's data
13 warehouse. Uniform reporting procedures shall be established by the
14 department of personnel for use by the reporting institutions,
15 including provisions for common job classifications and common
16 definitions of full-time equivalent staff. Annual contract amounts,
17 number of contract months, and funding sources shall be consistently
18 reported for employees under contract.

19 (3) In addition to waivers granted under the authority of RCW
20 28B.15.910, the governing boards and the state board may waive all or
21 a portion of operating fees for any student. State general fund
22 appropriations shall not be provided to replace tuition and fee revenue
23 foregone as a result of waivers granted under this subsection.

24 (4) The colleges of education for institutions with appropriations
25 in sections 606 through 611 shall develop a plan, by October 30, 2009,
26 to increase the number of math and science teacher endorsements and
27 certificates granted by the institution. The plan shall address the
28 college's math and science teacher endorsement and certification
29 completion goal for each of the next six years, beginning with the
30 2010-2011 academic year, and shall be reported to the governor, the
31 relevant policy committees of the legislature, the higher education
32 coordinating board (HECB) and the professional educator standards board
33 (PESB). Plan components may address: Student advising practices,
34 increased outreach and recruitment efforts to under-represented
35 populations, linkages with university mathematics and science
36 departments, and implementation of redesigned, innovative endorsement

1 and certification programs. To accomplish this work, enrollments may
2 need to be shifted from low-need endorsement and certificate areas to
3 math and science. A report shall be made each October 30th to the HECB
4 and PESB regarding the degree to which plan goals have been met and
5 activities undertaken to support those outcomes.

6 (5) In accordance with RCW 28B.10.920 through 28B.10.922, the state
7 performance agreement committee and each public four-year institution
8 of higher education shall develop performance agreements for the period
9 September 1, 2009, through June 30, 2015. The agreements shall reflect
10 the level of state, tuition, and other resources appropriated or
11 authorized for each institution in this act and in the omnibus 2009-11
12 omnibus capital budget act, as well as reasonably anticipated changes
13 in such resources for the two subsequent biennia as required to
14 accomplish the higher education master plan as adopted by the
15 legislature. The agreements shall build upon each institution's actual
16 performance relative to the 2011 targets previously negotiated between
17 the institution, the higher education coordinating board, and the
18 office of financial management, and shall include measurable
19 performance targets, benchmarks, and goals in areas including but not
20 limited to:

- 21 (a) Student enrollment levels, by campus;
- 22 (b) Baccalaureate and advanced degree production;
- 23 (c) Baccalaureate and advanced degree production in high employer-
24 demand fields;
- 25 (d) Undergraduate retention and graduation rates;
- 26 (e) Time-to-degree for students entering as freshmen, and as upper-
27 division transfers;
- 28 (f) Efficiency to degree; and
- 29 (g) Capital investment as required to (i) maintain existing
30 capacity, and (ii) meet enrollment targets in accordance with the
31 master plan as adopted by the legislature.

32 Each institution shall report progress toward its performance targets
33 during the preceding academic year to the state performance agreement
34 committee prior to November 1, 2010. The higher education coordinating
35 board shall consolidate and summarize the institutional reports, and
36 provide them to the relevant policy and fiscal committees of the
37 legislature by December 1, 2010.

1 (6) To facilitate transparency and compliance with the American
2 recovery and reinvestment act, the institutions of higher education
3 receiving state and federal appropriations under sections 605 through
4 611 of this act shall allot anticipated state, federal, and tuition
5 expenditures by budget program and fiscal year. The office of
6 financial management shall notify the legislative ways and means
7 committees of the proposed allotments at least ten days prior to their
8 approval.

9 (7) To the extent permitted by the applicable personnel system
10 rules, and to the extent collectively bargained with represented
11 employees, institutions of higher education are encouraged to achieve
12 the reductions in full-time-equivalent employment and payroll levels
13 necessary to operate within this budget through strategies that will
14 minimize impacts on employees, their families, their communities, and
15 short- and longer-term accomplishment of institutional mission.
16 Institutions are encouraged to utilize strategies such as reduced work-
17 hours per day or week, voluntary leave without pay, and temporary
18 furloughs that enable employees to maintain permanent employment
19 status. Institutions are further encouraged to implement such
20 strategies in ways that will enable employees to maintain full
21 insurance benefits, full retirement service credit, and a living wage.

22 (8)(a) For institutions receiving appropriations in section 605 of
23 this act the only allowable salary increases provided are those with
24 normally occurring promotions and increases related to faculty and
25 staff retention, to the extent permitted by Engrossed Substitute Senate
26 Bill No. 5460, and House Bill No. 2328.

27 (b) For employees under the jurisdiction of chapter 41.56 RCW,
28 salary increases will be in accordance with the applicable collective
29 bargaining agreement. However, an increase shall not be provided to
30 any classified employee whose salary is above the approved salary range
31 maximum for the class to which the employee's position is allocated.

32 (c) For each institution of higher education receiving
33 appropriations under sections 606 through 611 of this act:

34 (i) The only allowable salary increases are those associated with
35 normally occurring promotions and increases related to faculty and
36 staff retention, to the extent permitted by Engrossed Substitute Senate
37 Bill No. 5460 and House Bill No. 2328; and

1 (ii) Institutions may provide salary increases from other sources
 2 to instructional and research faculty, exempt professional staff,
 3 teaching and research assistants, as classified by the office of
 4 financial management, and all other nonclassified staff, but not
 5 including employees under RCW 28B.16.015, to the extent permitted by
 6 Engrossed Substitute Senate Bill No. 5460 and House Bill No. 2328. Any
 7 salary increase granted under the authority of this subsection
 8 (8)(c)(ii) shall not be included in an institution's salary base for
 9 future state funding. It is the intent of the legislature that state
 10 general fund support for an institution shall not increase during the
 11 current or any future biennium as a result of any salary increases
 12 authorized under this subsection (8)(c)(ii).

13 NEW SECTION. **Sec. 602.** (1) Within the funds appropriated in this
 14 act, each institution of higher education is expected to enroll and
 15 educate at least the following numbers of full-time equivalent state-
 16 supported students per academic year:

	2009-10	2010-11
	Annual Average	Annual Average
20 University of Washington	36,546	37,162
21 Washington State University	22,250	22,250
22 Central Washington University	8,477	8,734
23 Eastern Washington University	8,469	8,808
24 The Evergreen State College	4,213	4,213
25 Western Washington University	11,373	11,762
26 State Board for Community &		
27 Technical Colleges		
28 Adult Students	139,237	139,237
29 Running Start Students	11,558	11,558

30 (2) In achieving or exceeding these enrollment targets, each
 31 institution shall seek to:

32 (a) Maintain and to the extent possible increase enrollment
 33 opportunities at branch campuses;

34 (b) Maintain and to the extent possible increase enrollment

1 opportunities at university centers and other partnership programs that
2 enable students to earn baccalaureate degrees on community college
3 campuses; and

4 (c) Eliminate and consolidate programs of study for which there is
5 limited student or employer demand, or that are not areas of core
6 academic strength for the institution, particularly when such programs
7 duplicate offerings by other in-state institutions.

8 (3) By September 1, 2009, each institution shall report to the
9 higher education committees and the relevant fiscal committees of the
10 legislature on its plans for achieving the objectives in this section.

11 (4) For purposes of monitoring and reporting statewide enrollment,
12 the University of Washington and Washington State University shall
13 notify the office of financial management of the number of full-time
14 student equivalent enrollments budgeted for each of their campuses.

15 NEW SECTION. **Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS.** In
16 order to operate within the state funds appropriated in this act, the
17 governing boards of the state research universities, the state regional
18 universities, and The Evergreen State College are authorized to adopt
19 and adjust tuition and fees for the 2009-10 and 2010-11 academic years
20 as provided in this section:

21 (1) Each governing board may increase the tuition fees, as defined
22 in RCW 28B.15.020, charged to resident undergraduate students by no
23 more than fourteen percent over the amounts charged to resident
24 undergraduate students for the prior academic year.

25 (2) Each governing board is authorized to increase tuition charges
26 to graduate and professional students, and to nonresident undergraduate
27 students, by amounts judged reasonable and necessary by the governing
28 board.

29 (3) Each governing board is authorized to increase summer quarter
30 or semester tuition fees for resident and nonresident undergraduate,
31 graduate, and professional students pursuant to RCW 28B.15.067.

32 (4) Each governing board is authorized to adopt or increase charges
33 for fee-based, self-sustaining degree programs, credit courses,
34 noncredit workshops and courses, and special contract courses by
35 amounts judged reasonable and necessary by the governing board.

36 (5) Each governing board is authorized to adopt or increase

1 services and activities fees for all categories of students as provided
2 in RCW 28B.15.069.

3 (6) Each governing board is authorized to adopt or increase
4 technology fees as provided in RCW 28B.15.069.

5 (7) Each governing board is authorized to adopt or increase special
6 course and lab fees, and health and counseling fees, to the extent
7 necessary to cover the reasonable and necessary exceptional cost of the
8 course or service.

9 (8) Each governing board is authorized to adopt or increase
10 administrative fees such as but not limited to those charged for
11 application, matriculation, special testing, and transcripts by amounts
12 judged reasonable and necessary by the governing board.

13 (9) In addition to the 3.5 percent of tuition and services and
14 activities fees used for institutional financial aid as required by RCW
15 28B.15.820, each governing board shall assure that at least one-seventh
16 of the additional tuition revenue that would otherwise be collected as
17 a result of resident undergraduate tuition increases in excess of seven
18 percent per year is used to provide additional financial aid to
19 resident undergraduate students. Each institution shall report to the
20 relevant policy and fiscal committees of the legislature by December 1,
21 2009, and again by December 1, 2010, demonstrating how it has modified
22 financial aid policies and practices during the current academic year
23 to accomplish this purpose.

24 NEW SECTION. **Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL**
25 **COLLEGES.** In order to operate within the state funds appropriated in
26 this act, the state board for community and technical colleges and the
27 trustees of the state's community and technical colleges are authorized
28 to adopt and adjust tuition and fees for the 2009-10 and 2010-11
29 academic years as provided in this section:

30 (1) The state board may increase the tuition fees charged to
31 resident undergraduate students by no more than seven percent over the
32 amounts charged to resident undergraduates during the prior academic
33 year. The board may increase tuition fees under this subsection
34 differentially based on student credit hour load, provided that the
35 overall increase in average tuition revenue per student does not exceed
36 seven percent each year.

1 (2) The state board may increase the tuition fees charged to
2 resident undergraduates enrolled in upper division applied
3 baccalaureate programs by no more than fourteen percent over the
4 amounts charged during the prior academic year.

5 (3) The state board may increase the tuition fees charged to
6 nonresident students by amounts judged reasonable and necessary by the
7 board.

8 (4) The trustees of the technical colleges are authorized to either
9 (a) increase operating fees by no more than the percentage increases
10 authorized for community colleges by the state board; or (b) fully
11 adopt the tuition fee charge schedule adopted by the state board for
12 community colleges.

13 (5) For the 2009-10 academic year, the trustees of the technical
14 colleges are authorized to increase building fees by four cents per
15 clock hour and by sixty-two cents per credit hour. For the 2010-11
16 academic year, the trustees are authorized to increase building fees by
17 four cents per clock hour and by sixty-nine cents per credit hour. The
18 purpose of these increases is to progress toward parity with the
19 building fees charged students attending the community colleges.

20 (6) The state board is authorized to increase the maximum allowable
21 services and activities fee as provided in RCW 28B.15.069. The
22 trustees of the community and technical colleges are authorized to
23 increase services and activities fees up to the maximum level
24 authorized by the state board.

25 (7) The trustees of the community and technical colleges are
26 authorized to adopt or increase charges for fee-based, self-sustaining
27 programs such as summer session, international student contracts, and
28 special contract courses by amounts judged reasonable and necessary by
29 the trustees.

30 (8) The trustees of the community and technical colleges are
31 authorized to adopt or increase special course and lab fees to the
32 extent necessary to cover the reasonable and necessary exceptional cost
33 of the course or service.

34 (9) The trustees of the community and technical colleges are
35 authorized to adopt or increase administrative fees such as but not
36 limited to those charged for application, matriculation, special
37 testing, and transcripts by amounts judged reasonable and necessary by
38 the trustees.

1 baccalaureate degree in interior design. This program is intended to
2 provide students with additional opportunities to earn baccalaureate
3 degrees and to respond to emerging job and economic growth
4 opportunities. The program reviews and approval decisions required by
5 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that
6 the degree may be offered during the 2009-10 academic year.

7 (6) In accordance with the recommendations of the higher education
8 coordinating board's 2008 *Kitsap region higher education center study*,
9 the state board shall facilitate development of university centers by
10 allocating thirty 2-year and 4-year partnership full-time enrollment
11 equivalencies to Olympic College and ten 2-year and 4-year partnership
12 full-time enrollment equivalencies to Peninsula College. The colleges
13 shall use the allocations to establish a partnership with a
14 baccalaureate university or universities for delivery of upper division
15 degree programs in the Kitsap region. The Olympic and Peninsula
16 Community College districts shall additionally work together to ensure
17 coordinated development of these and other future baccalaureate
18 opportunities through coordinated needs assessment, planning, and
19 scheduling.

20 (7) By September 1, 2009, the state board for community and
21 technical colleges, the higher education coordinating board, and the
22 office of financial management shall review and to the extent necessary
23 revise current 2009-11 performance measures and targets based on the
24 level of state, tuition, and other resources appropriated or authorized
25 in this act and in the omnibus 2009-11 omnibus capital budget act. The
26 boards and the office of financial management shall additionally
27 develop new performance targets for the 2011-13 and the 2013-15 biennia
28 that will guide and measure the community and technical college
29 system's contributions to achievement of the state's higher education
30 master plan goals.

31 (8) \$2,250,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$2,250,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for the hospital employee
34 education and training program under which labor, management, and
35 college partnerships develop or expand and evaluate training programs
36 for incumbent hospital workers that lead to careers in nursing and
37 other high-demand health care occupations. The board shall report

1 student progress, outcomes, and costs to the relevant fiscal and policy
2 committees of the legislature by November 2009 and November 2010.

3 (9) Community and technical colleges are not required to send mass
4 mailings of course catalogs to residents of their districts. Community
5 and technical colleges shall consider lower cost alternatives, such as
6 mailing postcards or brochures that direct individuals to online
7 information and other ways of acquiring print catalogs.

8 (10) \$1,112,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$1,113,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the state board to enhance
11 online distance learning and open courseware technology. Funds shall
12 be used to support open courseware, open textbooks, open licenses to
13 increase access, affordability and quality of courses in higher
14 education. The state board for community and technical colleges shall
15 select the most appropriate courses to support open courseware based
16 solely upon criteria of maximizing the value of instruction and
17 reducing costs of textbooks and other instructional materials for the
18 greatest number of students in higher education, regardless of the type
19 of institution those students attend.

20 NEW SECTION. **Sec. 606. FOR THE UNIVERSITY OF WASHINGTON**

21	General Fund--State Appropriation (FY 2010)	\$269,552,000
22	General Fund--State Appropriation (FY 2011)	\$297,130,000
23	General Fund--Federal Appropriation	\$24,730,000
24	Education Legacy Trust Account--State Appropriation	\$54,408,000
25	Accident Account--State Appropriation	\$6,712,000
26	Medical Aid Account--State Appropriation	\$6,524,000
27	Biotoxin Account--State Appropriation	\$450,000
28	TOTAL APPROPRIATION	\$659,506,000

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

31 (1) In implementing the appropriations in this section, the
32 president and regents shall seek to minimize impacts on student
33 services and instructional programs by maximizing reductions in
34 administration and other non-instructional activities.

35 (2) Because higher education is an essential driver of economic
36 recovery and development, the university shall maintain, and endeavor
37 to increase, enrollment and degree production levels at or beyond their

1 academic year 2008-09 levels in the following high-demand fields:
2 Biological and biomedical sciences; computer and information sciences;
3 education with specializations in special education, math, or science;
4 engineering and engineering technology; health professions and related
5 clinical sciences; and mathematics and statistics.

6 (3) \$75,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$75,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for forestry research by the
9 Olympic natural resources center.

10 (4) \$150,000 of the general fund--state appropriation for fiscal
11 year 2010 is provided solely for the William D. Ruckelshaus center for
12 facilitation, support, and analysis to support the nurse staffing
13 steering committee in its work to apply best practices related to
14 patient safety and nurse staffing.

15 (5) \$54,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$54,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for the University of Washington
18 geriatric education center to provide a voluntary adult family home
19 certification program. In addition to the minimum qualifications
20 required under RCW 70.128.120, individuals participating in the
21 voluntary adult family home certification program shall complete fifty-
22 two hours of class requirements as established by the University of
23 Washington geriatric education center. Individuals completing the
24 requirements of RCW 70.128.120 and the voluntary adult family home
25 certification program shall be issued a certified adult family home
26 license by the department of social and health services. The
27 department of social and health services shall adopt rules implementing
28 the provisions of this subsection.

29 (6) \$50,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$52,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided solely for the center for international
32 trade in forest products in the college of forest resources.

33 NEW SECTION. **Sec. 607. FOR WASHINGTON STATE UNIVERSITY**

34	General Fund--State Appropriation (FY 2010)	\$178,578,000
35	General Fund--State Appropriation (FY 2011)	\$196,163,000
36	General Fund--Federal Appropriation	\$15,772,000
37	Education Legacy Trust Account--State Appropriation	\$34,696,000

1 TOTAL APPROPRIATION \$425,209,000

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

4 (1) In implementing the appropriations in this section, the
5 president and regents shall seek to minimize impacts on student
6 services and instructional programs by maximizing reductions in
7 administration and other non-instructional activities.

8 (2) Because higher education is an essential driver of economic
9 recovery and development, the university shall maintain, and endeavor
10 to increase, enrollment and degree production levels at or beyond their
11 academic year 2008-09 levels in the following high-demand fields:
12 Biological and biomedical sciences; computer and information sciences;
13 education with specializations in special education, math, or science;
14 engineering and engineering technology; health professions and related
15 clinical sciences; and mathematics and statistics.

16 (3) When implementing reductions for fiscal year 2010 and fiscal
17 year 2011, Washington State University shall minimize reductions to
18 extension services and agriculture extension services. Agriculture
19 extension includes:

20 (a) Faculty with extension appointments working within the
21 following departments in the college of agricultural, human, and
22 natural resource sciences with extension appointments: Animal
23 sciences, crop and soil sciences, entomology, horticulture, and plant
24 pathology;

25 (b) The portion of county extension educators' appointments
26 assigned to the "agricultural programs" area;

27 (c) Staff with extension appointments and extension operating
28 allocations located at the irrigated agriculture research and extension
29 center (Prosser), northwest Washington research and extension center
30 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);
31 and

32 (d) Extension contributions to the center for precision
33 agricultural systems, center for sustaining agriculture and natural
34 resources, and the agriculture weather network.

35 (4) \$75,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$75,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for research related to honeybee
38 colony collapse disease.

1 NEW SECTION. **Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY**

2	General Fund--State Appropriation (FY 2010)	\$34,685,000
3	General Fund--State Appropriation (FY 2011)	\$40,796,000
4	General Fund--Federal Appropriation	\$5,522,000
5	Education Legacy Trust Account--State Appropriation	\$16,087,000
6	TOTAL APPROPRIATION	\$97,090,000

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

9 (1) In implementing the appropriations in this section, the
10 president and governing board shall seek to minimize impacts on student
11 services and instructional programs by maximizing reductions in
12 administration and other non-instructional activities.

13 (2) Because higher education is an essential driver of economic
14 recovery and development, the university shall maintain, and endeavor
15 to increase, enrollment and degree production levels at or beyond their
16 academic year 2008-09 levels in the following high-demand fields:
17 Biological and biomedical sciences; computer and information sciences;
18 education with specializations in special education, math, or science;
19 engineering and engineering technology; health professions and related
20 clinical sciences; and mathematics and statistics.

21 (3) At least \$200,000 of the general fund--state appropriation for
22 fiscal year 2010 and at least \$200,000 of the general fund--state
23 appropriation for fiscal year 2011 shall be expended on the northwest
24 autism center.

25 NEW SECTION. **Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY**

26	General Fund--State Appropriation (FY 2010)	\$30,284,000
27	General Fund--State Appropriation (FY 2011)	\$37,580,000
28	General Fund--Federal Appropriation	\$6,975,000
29	Education Legacy Trust Account--State Appropriation	\$19,076,000
30	TOTAL APPROPRIATION	\$93,915,000

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

33 (1) In implementing the appropriations in this section, the
34 president and governing board shall seek to minimize impacts on student
35 services and instructional programs by maximizing reductions in
36 administration and other non-instructional activities.

1 (2) Because higher education is an essential driver of economic
2 recovery and development, the university shall maintain, and endeavor
3 to increase, enrollment and degree production levels at or beyond their
4 academic year 2008-09 levels in the following high-demand fields:
5 Biological and biomedical sciences; computer and information sciences;
6 education with specializations in special education, math, or science;
7 engineering and engineering technology; health professions and related
8 clinical sciences; and mathematics and statistics.

9 NEW SECTION. **Sec. 610. FOR THE EVERGREEN STATE COLLEGE**

10	General Fund--State Appropriation (FY 2010)	\$20,512,000
11	General Fund--State Appropriation (FY 2011)	\$22,865,000
12	General Fund--Federal Appropriation	\$2,366,000
13	Education Legacy Trust Account--State Appropriation	\$5,450,000
14	TOTAL APPROPRIATION	\$51,193,000

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

17 (1) In implementing the appropriations in this section, the
18 president and governing board shall seek to minimize impacts on student
19 services and instructional programs by maximizing reductions in
20 administration and other non-instructional activities.

21 (2) Because higher education is an essential driver of economic
22 recovery and development, the college shall maintain, and endeavor to
23 increase, enrollment and degree production levels at or beyond their
24 academic year 2008-09 levels in the following high-demand fields:
25 Biological and biomedical sciences; computer and information sciences;
26 education with specializations in special education, math, or science;
27 engineering and engineering technology; health professions and related
28 clinical sciences; and mathematics and statistics.

29 (3) At least \$100,000 of the general fund--state appropriation for
30 fiscal year 2010 and at least \$100,000 of the general fund--state
31 appropriation for fiscal year 2011 shall be expended on the labor
32 education and research center.

33 (4) \$100,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$100,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for the Washington state institute
36 for public policy to report to the legislature regarding efficient and
37 effective programs and policies. The report shall calculate the return

1 on investment to taxpayers from evidence-based prevention and
2 intervention programs and policies that influence crime, K-12 education
3 outcomes, child maltreatment, substance abuse, mental health, public
4 health, public assistance, employment, and housing. The institute for
5 public policy shall provide the legislature with a comprehensive list
6 of programs and policies that improve these outcomes for children and
7 adults in Washington and result in more cost-efficient use of public
8 resources. The institute shall submit interim reports by December 15,
9 2009, and October 1, 2010, and a final report by June 30, 2011. The
10 institute may receive additional funds from a private organization for
11 the purpose of conducting this study.

12 (5) To the extent federal or private funding is available for this
13 purpose, the Washington state institute for public policy and the
14 center for reinventing public education at the University of Washington
15 shall examine the relationship between participation in pension systems
16 and teacher quality and mobility patterns in the state. The department
17 of retirement systems shall facilitate researchers' access to necessary
18 individual-level data necessary to effectively conduct the study. The
19 researchers shall ensure that no individually identifiable information
20 will be disclosed at any time. An interim report on project findings
21 shall be completed by November 15, 2010, and a final report shall be
22 submitted to the governor and to the relevant committees of the
23 legislature by October 15, 2011.

24 (6) At least \$200,000 of the general fund--state appropriation for
25 fiscal year 2010 and at least \$200,000 of the general fund--state
26 appropriation for fiscal year 2011 shall be expended on the Washington
27 center for undergraduate education.

28 (7) \$15,000 of the general fund--state appropriation for fiscal
29 year 2010 is provided solely for the Washington state institute for
30 public policy to examine the need for and methods to increase the
31 availability of nonfood items, such as personal hygiene supplies,
32 soaps, paper products, and other items, to needy persons in the state.
33 The study shall examine existing private and public programs that
34 provide such products, and develop recommendations for the most cost-
35 effective incentives for private and public agencies to increase local
36 distribution outlets and local and regional networks of supplies. A
37 final report shall be delivered to the legislature and the governor by
38 December 1, 2009.

1 (8) \$17,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$42,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided to the Washington state institute for
4 public policy to implement Second Substitute House Bill No. 2106 (child
5 welfare outcomes). If the bill is not enacted by June 30, 2009, the
6 amounts provided in this subsection shall lapse.

7 (9) \$54,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$23,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely to implement Substitute Senate
10 Bill No. 5882 (racial disproportionality). If the bill is not enacted
11 by June 30, 2009, the amounts provided in this subsection shall lapse.

12 (10) \$75,000 of the general fund--state appropriation for fiscal
13 year 2010 is provided solely for the Washington state institute of
14 public policy to evaluate the adequacy of and access to financial aid
15 and independent living programs for youth in foster care. The
16 examination shall include opportunities to improve efficiencies within
17 these programs. The institute shall report its findings by December 1,
18 2009.

19 (11) \$75,000 of the general fund--state appropriation for fiscal
20 year 2010 is provided solely for the Washington state institute for
21 public policy to conduct an assessment of the general assistance
22 unemployable program and other similar programs. The assessment shall
23 include a review of programs in other states that provide similar
24 services and will include recommendations on promising approaches that
25 both improve client outcomes and reduce state costs. A report is due
26 by December 1, 2009.

27 (12) To the extent funds are available, the Washington state
28 institute for public policy is encouraged to continue the longitudinal
29 analysis of long-term mental health outcomes directed in chapter 334,
30 Laws of 2001 (mental health performance audit), to build upon the
31 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill
32 offenders); and to assess program outcomes and cost effectiveness of
33 the children's mental health pilot projects as required by chapter 372,
34 Laws of 2006.

35 **NEW SECTION. Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY**

36	General Fund--State Appropriation (FY 2010)	\$43,141,000
37	General Fund--State Appropriation (FY 2011)	\$52,752,000

1	General Fund--Federal Appropriation	\$8,885,000
2	Education Legacy Trust Account--State Appropriation	\$13,036,000
3	TOTAL APPROPRIATION	\$117,814,000

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

6 (1) In implementing the appropriations in this section, the
7 president and governing board shall seek to minimize impacts on student
8 services and instructional programs by maximizing reductions in
9 administration and other non-instructional activities.

10 (2) Because higher education is an essential driver of economic
11 recovery and development, the university shall maintain, and endeavor
12 to increase, enrollment and degree production levels at or beyond their
13 academic year 2008-09 levels in the following high-demand fields:
14 Biological and biomedical sciences; computer and information sciences;
15 education with specializations in special education, math, or science;
16 engineering and engineering technology; health professions and related
17 clinical sciences; and mathematics and statistics.

18 NEW SECTION. **Sec. 612. FOR THE HIGHER EDUCATION COORDINATING**
19 **BOARD--POLICY COORDINATION AND ADMINISTRATION**

20	General Fund--State Appropriation (FY 2010)	\$6,611,000
21	General Fund--State Appropriation (FY 2011)	\$6,203,000
22	General Fund--Federal Appropriation	\$4,352,000
23	TOTAL APPROPRIATION	\$17,166,000

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

26 (1) Within the funds appropriated in this section, the higher
27 education coordinating board shall complete a system design planning
28 project that defines how the current higher education delivery system
29 can be shaped and expanded over the next ten years to best meet the
30 needs of Washington citizens and businesses for high quality and
31 accessible post-secondary education. The board shall propose policies
32 and specific, fiscally feasible implementation recommendations to
33 accomplish the goals established in the *2008 strategic master plan for*
34 *higher education*. The project shall specifically address the roles,
35 missions, and instructional delivery systems both of the existing and
36 of proposed new components of the higher education system; the extent
37 to which specific academic programs should be expanded, consolidated,

1 or discontinued and how that would be accomplished; the utilization of
2 innovative instructional delivery systems and pedagogies to reach both
3 traditional and nontraditional students; and opportunities to
4 consolidate institutional administrative functions. The study
5 recommendations shall also address the proposed location, role,
6 mission, academic program, and governance of any recommended new
7 campus, institution, or university center. During the planning
8 process, the board shall inform and actively involve the chairs from
9 the senate and house of representatives committees on higher education,
10 or their designees. The board shall report the findings and
11 recommendations of this system design planning project to the governor
12 and the appropriate committees of the legislature by December 1, 2009.

13 (2) \$146,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$65,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the higher education
16 coordinating board to administer Engrossed Second Substitute House Bill
17 No. 2021 (revitalizing student financial aid). If the bill is not
18 enacted by June 30, 2009, the amounts provided in this subsection shall
19 lapse.

20 (3) \$227,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$11,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely to implement Engrossed Second
23 Substitute House Bill No. 1946 (regarding higher education online
24 technology). If the bill is not enacted by June 30, 2009, the amounts
25 provided in this subsection shall lapse.

26 (4) \$400,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$400,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely for the higher education
29 coordinating board to contract with the Pacific Northwest university of
30 health sciences to conduct training and education of health care
31 professionals to promote osteopathic physician services in rural and
32 underserved areas of the state.

33 NEW SECTION. **Sec. 613. FOR THE HIGHER EDUCATION COORDINATING**
34 **BOARD--FINANCIAL AID AND GRANT PROGRAMS**

35	General Fund--State Appropriation (FY 2010)	\$204,332,000
36	General Fund--State Appropriation (FY 2011)	\$229,711,000
37	General Fund--Federal Appropriation	\$13,124,000

1 Education Legacy Trust Account--State Appropriation \$88,062,000
2 TOTAL APPROPRIATION \$535,229,000

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

5 (1) \$191,704,000 of the general fund--state appropriation for
6 fiscal year 2010, \$232,929,000 of the general fund--state appropriation
7 for fiscal year 2011, \$80,190,000 of the education legacy trust account
8 appropriation, and \$2,446,000 of the general fund--federal
9 appropriation are provided solely for student financial aid payments
10 under the state need grant; the state work study program including up
11 to a four percent administrative allowance; the Washington scholars
12 program; and the Washington award for vocational excellence. State
13 need grant, Washington award for vocational excellence, and state work
14 study awards shall be adjusted to offset the cost of the resident
15 undergraduate tuition increases authorized under this act. The
16 Washington scholars program shall provide awards sufficient to offset
17 ninety percent of the total tuition and fee award.

18 (2)(a) Within the funds appropriated in this section, eligibility
19 for the state need grant shall include students with family incomes at
20 or below 70 percent of the state median family income (MFI), adjusted
21 for family size. Awards for all students shall be adjusted by the
22 estimated amount by which Pell grant increases exceed projected
23 increases in the noninstructional costs of attendance. Awards for
24 students with incomes between 51 and 70 percent of the state median
25 shall be prorated at the following percentages of the award amount
26 granted to those with incomes below 51 percent of the MFI: 70 percent
27 for students with family incomes between 51 and 55 percent MFI; 65
28 percent for students with family incomes between 56 and 60 percent MFI;
29 60 percent for students with family incomes between 61 and 65 percent
30 MFI; and 50 percent for students with family incomes between 66 and 70
31 percent MFI.

32 (b) Grant awards for students at private four-year colleges shall
33 be set at the same level as the student would receive if attending one
34 of the public research universities.

35 (3) \$1,000,000 of the education legacy trust account--state
36 appropriation is provided solely to encourage more students to teach
37 secondary mathematics and science. \$500,000 of this amount is for the

1 future teacher scholarship and conditional loan program. \$500,000 of
2 this amount is provided to support state work study positions for
3 students to intern in secondary schools and classrooms.

4 (4) \$3,872,000 of the education legacy trust account--state
5 appropriation is provided solely for the passport to college
6 scholarship program pursuant to chapter 28B.117 RCW. The higher
7 education coordinating board shall contract with a college scholarship
8 organization with expertise in managing scholarships for low-income,
9 high-potential students and foster care children and young adults to
10 administer the program. Of the amount in this subsection, \$39,000 is
11 provided solely for the higher education coordinating board for
12 administration of the contract and the remaining shall be contracted
13 out to the organization for the following purposes:

14 (a) \$384,000 is provided solely for program administration, and

15 (b) \$3,449,000 is provided solely for student financial aid for up
16 to 151 students and to fund student support services. Funds are
17 provided for student scholarships, provider training, and for incentive
18 payments to the colleges they attend for individualized student support
19 services which may include, but are not limited to, college and career
20 advising, counseling, tutoring, costs incurred for students while
21 school is not in session, personal expenses, health insurance, and
22 emergency services.

23 (5) \$1,250,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$1,250,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely for the health professional
26 scholarship and loan program. The funds provided in this subsection
27 shall be: (a) Prioritized for health care deliver sites demonstrating
28 a commitment to serving the uninsured; and (b) allocated between loan
29 repayments and scholarships proportional to current program
30 allocations.

31 (6) For fiscal year 2010 and fiscal year 2011, the board shall
32 defer loan or conditional scholarship repayments to the future teachers
33 conditional scholarship and loan repayment program for up to one year
34 for each participant if the participant has shown evidence of efforts
35 to find a teaching job but has been unable to secure a teaching job per
36 the requirements of the program.

37 (7) \$246,000 of the general fund--state appropriation for fiscal
38 year 2010 and \$246,000 of the general fund--state appropriation for

1 fiscal year 2011 are for community scholarship matching grants and its
2 administration. To be eligible for the matching grant, nonprofit
3 groups organized under section 501(c)(3) of the federal internal
4 revenue code must demonstrate they have raised at least \$2,000 in new
5 moneys for college scholarships after the effective date of this
6 section. Groups may receive no more than one \$2,000 matching grant per
7 year and preference shall be given to groups affiliated with
8 scholarship America. Up to a total of \$46,000 per year of the amount
9 appropriated in this section may be awarded to a nonprofit community
10 organization to administer scholarship matching grants, with preference
11 given to an organization affiliated with scholarship America.

12 (8) \$500,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$500,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for state need grants provided to
15 students enrolled in three to five credit-bearing quarter credits, or
16 the equivalent semester credits. Total state expenditures on this
17 program shall not exceed the amounts provided in this subsection.

18 (9) \$3,000,000 of the education legacy trust account--state
19 appropriation is provided solely for the gaining early awareness and
20 readiness for undergraduate programs project.

21 (10) \$75,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$75,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for higher education student child
24 care matching grants under chapter 28B.135 RCW.

25 **NEW SECTION. Sec. 614. FOR THE WORK FORCE TRAINING AND EDUCATION**
26 **COORDINATING BOARD**

27	General Fund--State Appropriation (FY 2010)	\$1,587,000
28	General Fund--State Appropriation (FY 2011)	\$1,556,000
29	General Fund--Federal Appropriation	\$54,262,000
30	TOTAL APPROPRIATION	\$57,405,000

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

33 (1) \$142,000 of the general fund--federal appropriation for fiscal
34 year 2010 and \$88,000 of the general fund--federal appropriation for
35 fiscal year 2011 are provided solely for implementation of Second
36 Substitute House Bill No. 1355 (opportunity internships). Of these
37 amounts, \$82,000 for fiscal year 2010 and \$28,000 for fiscal year 2011

1 are to be contracted to the higher education coordinating board for
 2 administration of state need grant program coordination and for
 3 enhancement of existing administration and tracking tools to
 4 accommodate opportunity internship students eligible for state need
 5 grants. It is expected that the federal funds appropriated in this
 6 subsection shall be from among the workforce investment act statewide
 7 discretionary funds available for projects in support of disadvantaged
 8 youth. If the bill is not enacted by June 30, 2009, the amounts
 9 provided in this subsection shall lapse.

10 (2) \$60,000 of the general fund--state appropriation for fiscal
 11 year 2010 and \$60,000 of the general fund--state appropriation for
 12 fiscal year 2011 are provided solely for implementation of Engrossed
 13 Second Substitute House Bill No. 2227 (evergreen jobs act). If the
 14 bill is not enacted by June 30, 2009, the amounts provided in this
 15 subsection shall lapse.

16 NEW SECTION. **Sec. 615. FOR THE SPOKANE INTERCOLLEGIATE RESEARCH**
 17 **AND TECHNOLOGY INSTITUTE**

18	General Fund--State Appropriation (FY 2010)	\$1,598,000
19	General Fund--State Appropriation (FY 2011)	\$1,611,000
20	TOTAL APPROPRIATION	\$3,209,000

21 NEW SECTION. **Sec. 616. FOR THE DEPARTMENT OF EARLY LEARNING**

22	General Fund--State Appropriation (FY 2010)	\$60,478,000
23	General Fund--State Appropriation (FY 2011)	\$61,045,000
24	General Fund--Federal Appropriation	\$244,859,000
25	TOTAL APPROPRIATION	\$366,382,000

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

28 (1) \$55,696,000 of the general fund--state appropriation for fiscal
 29 year 2010 and \$55,696,000 of the general fund--state appropriation for
 30 fiscal year 2011 are provided solely for early childhood education and
 31 assistance program services. This appropriation temporarily reduces
 32 the number of slots for the 2009-11 fiscal biennium for the early
 33 childhood education and assistance program. The department shall
 34 reduce slots where providers serve both federal headstart and early
 35 childhood education and assistance program children, to the greatest
 36 extent possible, in order to achieve no reduction of slots across the

1 state. The amounts in this subsection also reflect reductions to the
2 administrative expenditures for the early childhood education and
3 assistance program. The department shall reduce administrative
4 expenditures, to the greatest extent possible, prior to reducing early
5 childhood education and assistance program slots. Of these amounts,
6 \$10,284,000 is a portion of the biennial amount of state matching
7 dollars required to receive federal child care and development fund
8 grant dollars.

9 (2) \$1,000,000 of the general fund--federal appropriation is
10 provided to the department to contract with Thrive by Five, Washington
11 for a pilot project for a quality rating and improvement system to
12 provide parents with information they need to choose quality child care
13 and education programs and to improve the quality of early care and
14 education programs. The department in collaboration with Thrive by
15 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,
16 and Kitsap counties. The department shall use child care development
17 fund quality money for this purpose.

18 (3) \$425,000 of the general fund--state appropriation for fiscal
19 year 2010, \$425,000 of the general fund--state appropriation for fiscal
20 year 2011, and \$850,000 of the general fund--federal appropriation are
21 provided solely for child care resource and referral network services.
22 The general fund--federal funding represents moneys from the American
23 recovery and reinvestment act of 2009 (child care development block
24 grant).

25 (4) \$750,000 of the general fund--state appropriation for fiscal
26 year 2010, \$750,000 of the general fund--state appropriation for fiscal
27 year 2011, and \$1,500,000 of the general fund--federal appropriation
28 are provided solely for the career and wage ladder program created by
29 chapter 507, Laws of 2005. The general fund--federal funding
30 represents moneys from the American recovery and reinvestment act of
31 2009 (child care development block grant).

32 (5) \$50,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$50,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely for the department to work with
35 stakeholders and the office of the superintendent of public instruction
36 to identify and test a kindergarten assessment process and tools in
37 geographically diverse school districts. School districts may
38 participate in testing the kindergarten assessment process on a

1 voluntary basis. The department shall report to the legislature on the
2 kindergarten assessment process not later than January 15, 2011.
3 Expenditure of amounts provided in this subsection is contingent on
4 receipt of an equal match from private sources. As matching funds are
5 made available, the department may expend the amounts provided in this
6 subsection.

7 (6) \$1,600,000 of the general fund--federal appropriation is
8 provided solely for the department to fund programs to improve the
9 quality of infant and toddler child care through training, technical
10 assistance, and child care consultation.

11 (7) \$200,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$200,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely to develop and provide culturally
14 relevant supports for parents, family, and other caregivers.

15 (8) \$100,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$100,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for implementation of Substitute
18 House Bill No. 1329 (child care center collective bargaining). If the
19 bill is not enacted by June 30, 2009, the amounts provided in this
20 subsection shall lapse.

21 (9) The department is the lead agency for and recipient of the
22 federal child care and development fund grant. Amounts within this
23 grant shall be used to fund child care licensing, quality initiatives,
24 agency administration, and other costs associated with child care
25 subsidies. The department shall transfer a portion of this grant to
26 the department of social and health services to partially fund the
27 child care subsidies paid by the department of social and health
28 services on behalf of the department of early learning.

29 (10) The department shall use child care development fund money to
30 satisfy the federal audit requirement of the improper payments act
31 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent
32 on the audits will not count against the five percent state limit on
33 administrative expenditures.

34 (11) Within available amounts, the department in consultation with
35 the office of financial management and the department of social and
36 health services shall report quarterly enrollments and active caseload
37 for the working connections child care program to the legislative

1 fiscal committees. The report shall also identify the number of cases
2 participating in both temporary assistance for needy families and
3 working connections child care.

4 (12) The appropriations in this section reflect reductions in the
5 appropriations for the department's administrative expenses. It is the
6 intent of the legislature that these reductions shall be achieved, to
7 the greatest extent possible, by reducing those administrative costs
8 that do not affect direct client services or direct service delivery or
9 program.

10 NEW SECTION. **Sec. 617. FOR THE STATE SCHOOL FOR THE BLIND**

11	General Fund--State Appropriation (FY 2010)	\$5,902,000
12	General Fund--State Appropriation (FY 2011)	\$5,908,000
13	General Fund--Private/Local Appropriation	\$1,928,000
14	TOTAL APPROPRIATION	\$13,738,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: \$271,000 of the general fund--
17 private/local appropriation is provided solely for the school for the
18 blind to offer short course programs, allowing students the opportunity
19 to leave their home schools for short periods and receive intensive
20 training. The school for the blind shall provide this service to the
21 extent that it is funded by contracts with school districts and
22 educational services districts.

23 NEW SECTION. **Sec. 618. FOR THE STATE SCHOOL FOR THE DEAF**

24	General Fund--State Appropriation (FY 2010)	\$8,592,000
25	General Fund--State Appropriation (FY 2011)	\$8,656,000
26	General Fund--Private/Local Appropriation	\$526,000
27	TOTAL APPROPRIATION	\$17,774,000

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

30 (1) \$210,000 of the general fund--private/local appropriation is
31 provided solely for the operation of the shared reading video outreach
32 program. The school for the deaf shall provide this service to the
33 extent it is funded by contracts with school districts and educational
34 service districts.

35 (2) \$25,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$25,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for implementation of Engrossed
2 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If
3 the bill is not enacted by June 30, 2009, the amounts provided in this
4 subsection shall lapse.

5 NEW SECTION. **Sec. 619. FOR THE WASHINGTON STATE ARTS COMMISSION**

6	General Fund--State Appropriation (FY 2010)	\$1,876,000
7	General Fund--State Appropriation (FY 2011)	\$1,883,000
8	General Fund--Federal Appropriation	\$1,923,000
9	General Fund--Private/Local Appropriation	\$1,054,000
10	TOTAL APPROPRIATION	\$6,736,000

11 The appropriations in this section are subject to the following
12 conditions and limitations: It is the intent of the legislature that
13 the reductions in appropriations in this section shall be achieved, to
14 the greatest extent possible, by reducing those administrative costs
15 that do not affect direct client services or direct service delivery or
16 programs. The agency shall, to the greatest extent possible, reduce
17 spending in those areas that shall have the least impact on
18 implementing its mission.

19 NEW SECTION. **Sec. 620. FOR THE WASHINGTON STATE HISTORICAL**
20 **SOCIETY**

21	General Fund--State Appropriation (FY 2010)	\$2,592,000
22	General Fund--State Appropriation (FY 2011)	\$2,636,000
23	TOTAL APPROPRIATION	\$5,228,000

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

32 NEW SECTION. **Sec. 621. FOR THE EASTERN WASHINGTON STATE**
33 **HISTORICAL SOCIETY**

34	General Fund--State Appropriation (FY 2010)	\$1,612,000
35	General Fund--State Appropriation (FY 2011)	\$1,655,000

1 TOTAL APPROPRIATION \$3,267,000

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

(End of part)

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund--State Appropriation (FY 2010)	\$854,991,000
General Fund--State Appropriation (FY 2011)	\$901,265,000
State Building Construction Account--State Appropriation	\$11,707,000
Columbia River Basin Water Supply Development Account-- State Appropriation	\$92,000
Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation	\$11,000
State Taxable Building Construction Account--State Appropriation	\$1,136,000
Gardner-Evans Higher Education Construction Account-- State Appropriation	\$260,000
Debt-Limit Reimbursable Bond Retirement Account--State Appropriation	\$2,619,000
TOTAL APPROPRIATION	\$1,772,081,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES

State Convention and Trade Center Account--State Appropriation	\$14,543,000
Accident Account--State Appropriation	\$5,171,000
Medical Aid Account--State Appropriation	\$5,171,000
TOTAL APPROPRIATION	\$24,885,000

1 NEW SECTION. **Sec. 703. FOR THE STATE TREASURER--BOND RETIREMENT**
 2 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 3 **GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

4	General Fund--State Appropriation (FY 2010)	\$26,463,000
5	General Fund--State Appropriation (FY 2011)	\$27,811,000
6	School Construction and Skill Centers Building	
7	Account--State Appropriation	\$477,000
8	Nondebt-Limit Reimbursable Bond Retirement Account--	
9	State Appropriation	\$141,507,000
10	TOTAL APPROPRIATION	\$196,258,000

11 The appropriations in this section are subject to the following
 12 conditions and limitations: The general fund appropriation is for
 13 expenditure into the nondebt-limit general fund bond retirement
 14 account. The entire general fund--state appropriation for fiscal year
 15 2010 shall be expended into the nondebt-limit general fund bond
 16 retirement account by June 30, 2010.

17 NEW SECTION. **Sec. 704. FOR THE STATE TREASURER--BOND RETIREMENT**
 18 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 19 **BOND SALE EXPENSES**

20	General Fund--State Appropriation (FY 2010)	\$1,357,000
21	General Fund--State Appropriation (FY 2011)	\$1,357,000
22	State Building Construction Account--State	
23	Appropriation	\$1,273,000
24	Columbia River Basin Water Supply Development	
25	Account--State Appropriation	\$6,000
26	Hood Canal Aquatic Rehabilitation Bond Account--	
27	State Appropriation	\$1,000
28	State Taxable Building Construction Account--State	
29	Appropriation	\$72,000
30	Gardner-Evans Higher Education Construction	
31	Account--State Appropriation	\$18,000
32	School Construction and Skill Centers Building	
33	Account--State Appropriation	\$30,000
34	TOTAL APPROPRIATION	\$4,114,000

35 NEW SECTION. **Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**

1 **FIRE CONTINGENCY**

2	General Fund--State Appropriation (FY 2010)	\$4,000,000
3	General Fund--State Appropriation (FY 2011)	\$4,000,000
4	TOTAL APPROPRIATION	\$8,000,000

5 The appropriations in this section are subject to the following
6 conditions and limitations: The appropriations are provided solely for
7 expenditure into the disaster response account.

8 NEW SECTION. **Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **DISASTER RESPONSE ACCOUNT**

10	General Fund--State Appropriation (FY 2010)	\$14,558,000
11	General Fund--State Appropriation (FY 2011)	\$15,087,000
12	TOTAL APPROPRIATION	\$29,645,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: The appropriations are provided solely for
15 expenditure into the disaster response account. \$5,000,000 of the
16 appropriation is provided for emergency fire suppression by the
17 department of natural resources.

18 NEW SECTION. **Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
19 **EMERGENCY FUND**

20	General Fund--State Appropriation (FY 2010)	\$850,000
21	General Fund--State Appropriation (FY 2011)	\$850,000
22	TOTAL APPROPRIATION	\$1,700,000

23 The appropriations in this section are subject to the following
24 conditions and limitations: The appropriations in this section are for
25 the governor's emergency fund for the critically necessary work of any
26 agency.

27 NEW SECTION. **Sec. 708. FOR THE DEPARTMENT OF COMMUNITY, TRADE,**
28 **AND ECONOMIC DEVELOPMENT--COUNTY PUBLIC HEALTH ASSISTANCE**

29	General Fund--State Appropriation (FY 2010)	\$24,000,000
30	General Fund--State Appropriation (FY 2011)	\$24,000,000
31	TOTAL APPROPRIATION	\$48,000,000

32 The appropriations in this section are subject to the following
33 conditions and limitations: The director of the department of
34 community, trade, and economic development shall distribute the

1 appropriations to the following counties and health districts in the
 2 amounts designated to support public health services, including public
 3 health nursing:

4	Health District	FY 2010	FY 2011	FY 2010-11
5				Biennium
6	Adams County Health District	\$30,951	\$30,951	\$61,902
7	Asotin County Health District	\$67,714	\$67,714	\$135,428
8	Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
9	Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
10	Clallam County Health and Human Services Department	\$141,752	\$141,752	\$283,504
11	Southwest Washington Health District	\$1,084,473	\$1,084,473	\$2,168,946
12	Columbia County Health District	\$40,529	\$40,529	\$81,058
13	Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
14	Garfield County Health District	\$15,028	\$15,028	\$30,056
15	Grant County Health District	\$118,595	\$118,596	\$237,191
16	Grays Harbor Health Department	\$183,870	183,870	\$367,740
17	Island County Health Department	\$91,892	\$91,892	\$183,784
18	Jefferson County Health and Human Services	\$85,782	\$85,782	\$171,564
19	Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
20	Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338
21	Kittitas County Health Department	\$92,499	\$92,499	\$184,998
22	Klickitat County Health Department	\$62,402	\$62,402	\$124,804
23	Lewis County Health Department	\$105,801	\$105,801	\$211,602
24	Lincoln County Health Department	\$29,705	\$29,705	\$59,410
25	Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
26	Okanogan County Health District	\$63,458	\$63,458	\$126,916
27	Pacific County Health Department	\$77,427	\$77,427	\$154,854
28	Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
29	San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
30	Skagit County Health Department	\$223,927	\$223,927	\$447,854
31	Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
32	Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
33	Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
34	Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
35	Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
36	Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124

1	Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
2	Whitman County Health Department	\$78,733	\$78,733	\$157,466
3	Yakima Health District	\$623,797	\$623,797	\$1,247,594
4	TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000

5 NEW SECTION. **Sec. 709. BELATED CLAIMS.** The agencies and
6 institutions of the state may expend moneys appropriated in this act,
7 upon approval of the office of financial management, for the payment of
8 supplies and services furnished to the agency or institution in prior
9 fiscal biennia.

10 NEW SECTION. **Sec. 710. FOR THE DEPARTMENT OF RETIREMENT**
11 **SYSTEMS--CONTRIBUTIONS TO RETIREMENT SYSTEMS.**

12 The appropriations in this section are subject to the following
13 conditions and limitations: The appropriations for the law enforcement
14 officers' and firefighters' retirement system shall be made on a
15 monthly basis beginning July 1, 2009, consistent with chapter 41.45
16 RCW, and the appropriations for the judges and judicial retirement
17 systems shall be made on a quarterly basis consistent with chapters
18 2.10 and 2.12 RCW.

19 (1) There is appropriated for state contributions to the law
20 enforcement officers' and firefighters' retirement system:

21	General Fund--State Appropriation (FY 2010)	\$51,500,000
22	General Fund--State Appropriation (FY 2011)	\$54,300,000
23	TOTAL APPROPRIATION	\$105,800,000

24 (2) There is appropriated for contributions to the judicial
25 retirement system:

26	General Fund--State Appropriation (FY 2010)	\$11,570,000
27	General Fund--State Appropriation (FY 2011)	\$12,860,000
28	TOTAL APPROPRIATION	\$24,430,000

29 NEW SECTION. **Sec. 711. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
30 **EDUCATION TECHNOLOGY REVOLVING ACCOUNT**

31	General Fund--State Appropriation (FY 2010)	\$8,000,000
32	General Fund--State Appropriation (FY 2011)	\$8,000,000
33	TOTAL APPROPRIATION	\$16,000,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: The appropriations in this section are
3 provided solely for expenditure into the education technology revolving
4 account for the purpose of covering ongoing operational and equipment
5 replacement costs incurred by the K-20 educational network program in
6 providing telecommunication services to network participants.

7 NEW SECTION. **Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
8 **WATER POLLUTION CONTROL REVOLVING ACCOUNT**

9	General Fund--State Appropriation (FY 2010)	\$4,600,000
10	General Fund--State Appropriation (FY 2011)	\$4,600,000
11	TOTAL APPROPRIATION	\$9,200,000

12 The appropriations in this section are subject to the following
13 conditions and limitations: The appropriations are provided solely for
14 expenditure into the water pollution control revolving account.

15 NEW SECTION. **Sec. 713. INCENTIVE SAVINGS--FY 2010.** The sum of
16 one hundred twenty-five million dollars or so much thereof as may be
17 available on June 30, 2010, from the total amount of unspent fiscal
18 year 2010 state general fund appropriations, exclusive of amounts
19 expressly placed into unallotted status by this act, is appropriated
20 for the purposes of RCW 43.79.460 in the manner provided in this
21 section.

22 (1) Of the total appropriated amount, one-half of that portion that
23 is attributable to incentive savings, not to exceed twenty-five million
24 dollars, is appropriated to the savings incentive account for the
25 purpose of improving the quality, efficiency, and effectiveness of
26 agency services, and credited to the agency that generated the savings.

27 (2) The remainder of the total amount, not to exceed one hundred
28 million dollars, is appropriated to the education savings account.

29 NEW SECTION. **Sec. 714. INCENTIVE SAVINGS--FY 2011.** The sum of
30 one hundred twenty-five million dollars or so much thereof as may be
31 available on June 30, 2011, from the total amount of unspent fiscal
32 year 2011 state general fund appropriations, exclusive of amounts
33 expressly placed into unallotted status by this act, is appropriated
34 for the purposes of RCW 43.79.460 in the manner provided in this
35 section.

1 (1) Of the total appropriated amount, one-half of that portion that
2 is attributable to incentive savings, not to exceed twenty-five million
3 dollars, is appropriated to the savings incentive account for the
4 purpose of improving the quality, efficiency, and effectiveness of
5 agency services, and credited to the agency that generated the savings.

6 (2) The remainder of the total amount, not to exceed one hundred
7 million dollars, is appropriated to the education savings account.

8 NEW SECTION. **Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **COUNTY SUBSTANCE ABUSE PROGRAMS**

10 General Fund--State Appropriation (FY 2010) \$1,300,000

11 The appropriations in this section are subject to the following
12 conditions and limitations: The appropriations in this section are
13 provided solely for allocation to counties that are eligible for
14 funding for chemical dependency or substance abuse treatment programs
15 pursuant to RCW 70.96A.325.

16 NEW SECTION. **Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
17 **SMALL AGENCY TECHNOLOGY POOL**

18 General Fund--State Appropriation (FY 2010) \$250,000
19 General Fund--State Appropriation (FY 2011) \$250,000
20 TOTAL APPROPRIATION \$500,000

21 The appropriations in this section are subject to the following
22 conditions and limitations: The appropriations are provided solely for
23 expenditure into the data processing revolving account for the small
24 agency technology pool.

25 NEW SECTION. **Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
26 **CAPITOL BUILDING CONSTRUCTION ACCOUNT**

27 General Fund--State Appropriation (FY 2010) \$2,312,000
28 General Fund--State Appropriation (FY 2011) \$3,615,000
29 TOTAL APPROPRIATION \$5,927,000

30 The appropriations in this section are subject to the following
31 conditions and limitations: The appropriations are provided solely for
32 expenditure into the capitol building construction account.

1 NEW SECTION. **Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
2 **TRANSITIONAL HOUSING OPERATING AND RENT ACCOUNT**

3	Home Security Fund--State Appropriation	\$7,000,000
4	Washington Housing Trust Account--State Appropriation	\$1,500,000
5	TOTAL APPROPRIATION	\$8,500,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: The appropriations are provided solely for
8 expenditure into the transitional housing operating and rent account.

9 NEW SECTION. **Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
10 **O'BRIEN BUILDING IMPROVEMENT**

11	General Fund--State Appropriation (FY 2010)	\$1,435,000
12	General Fund--State Appropriation (FY 2011)	\$1,435,000
13	TOTAL APPROPRIATION	\$2,870,000

14 The appropriations in this section are subject to the following
15 conditions and limitations: The appropriations are provided solely for
16 expenditure into the general administration services account for
17 payment of principal, interest, and financing expenses associated with
18 the certificate of participation for the O'Brien building improvement,
19 project number 20081007.

20 NEW SECTION. **Sec. 720. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
21 **CONTRIBUTIONS TO RETIREMENT SYSTEMS**

22	General Fund--State Appropriation (FY 2010)	\$400,000
23	General Fund--State Appropriation (FY 2011)	\$400,000
24	Special Account Retirement System Contribution	
25	Increase Revolving Account Appropriation	\$1,000,000
26	TOTAL APPROPRIATION	\$1,800,000

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

29 (1) The appropriations in this section are provided solely to
30 increase agency and institution appropriations and public school
31 funding allocations to reflect increased employer contribution rates in
32 the public employees' retirement system and the school employees'
33 retirement system as a result of the provisions of Substitute Senate
34 Bill No. 6157 (calculating compensation for public retirement

1 purposes). If the bill is not enacted by June 30, 2009, the amounts
2 provided in this section shall lapse.

3 (2) To facilitate the transfer of moneys to dedicated funds and
4 accounts, the state treasurer shall transfer sufficient moneys to each
5 dedicated fund or account from the special account retirement
6 contribution increase revolving account in accordance with schedules
7 provided by the office of financial management.

8 NEW SECTION. **Sec. 721. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
9 **COMMUNITY PRESERVATION AND DEVELOPMENT AUTHORITY ACCOUNT**

10 General Fund--State Appropriation (FY 2010) \$350,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The appropriation is provided solely for
13 expenditure into the community preservation and development authority
14 account.

15 NEW SECTION. **Sec. 722. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
16 **VETERANS INNOVATIONS PROGRAM ACCOUNT**

17 General Fund--State Appropriation (FY 2010) \$500,000

18 The appropriation in this section is subject to the following
19 conditions and limitations: The appropriation is provided solely for
20 deposit into the veterans innovations program account.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Table with 2 columns: Description and Amount. Rows include General Fund Appropriation for fire insurance (\$8,268,000), public utility district excise tax distributions (\$48,771,000), prosecuting attorney distributions (\$6,281,000), boating safety and education distributions (\$4,854,000), other tax distributions (\$50,000), habitat conservation program distributions (\$3,000,000), Death Investigations Account (\$2,544,000), Aquatic Lands Enhancement Account (\$170,000), Timber Tax Distribution Account (\$69,288,000), County Criminal Justice Assistance (\$66,374,000), Municipal Criminal Justice Assistance (\$25,622,000), City-County Assistance Account (\$28,564,000), Liquor Excise Tax Account (\$50,950,000), Streamline Sales and Use Tax Account (\$65,038,000), Columbia River Water Delivery Account for Confederated Tribes (\$7,308,000), and Columbia River Water Delivery Account for Spokane Tribe (\$4,676,000).

1 Liquor Revolving Account Appropriation for liquor
 2 profits distribution \$80,435,000
 3 Liquor Revolving Account Appropriation for additional
 4 liquor profits distribution to local
 5 governments \$18,677,000
 6 TOTAL APPROPRIATION \$490,870,000

7 The total expenditures from the state treasury under the
 8 appropriations in this section shall not exceed the funds available
 9 under statutory distributions for the stated purposes.

10 NEW SECTION. **Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY**
 11 **CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

12 Impaired Driver Safety Account Appropriation \$2,351,000

13 The appropriation in this section is subject to the following
 14 conditions and limitations: The amount appropriated in this section
 15 shall be distributed quarterly during the 2009-11 biennium in
 16 accordance with RCW 82.14.310. This funding is provided to counties
 17 for the costs of implementing criminal justice legislation including,
 18 but not limited to: Chapter 206, Laws of 1998 (drunk driving
 19 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
 20 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998
 21 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
 22 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
 23 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
 24 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
 25 215, Laws of 1998 (DUI provisions).

26 NEW SECTION. **Sec. 803. FOR THE STATE TREASURER--FOR THE**
 27 **MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

28 Impaired Driver Safety Account Appropriation \$1,543,000

29 The appropriation in this section is subject to the following
 30 conditions and limitations: The amount appropriated in this section
 31 shall be distributed quarterly during the 2009-11 biennium to all
 32 cities ratably based on population as last determined by the office of
 33 financial management. The distributions to any city that substantially
 34 decriminalizes or repeals its criminal code after July 1, 1990, and
 35 that does not reimburse the county for costs associated with criminal

1 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
2 which the city is located. This funding is provided to cities for the
3 costs of implementing criminal justice legislation including, but not
4 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
5 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
6 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
7 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
8 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
9 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
10 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
11 Laws of 1998 (DUI provisions).

12 NEW SECTION. **Sec. 804. FOR THE STATE TREASURER--FEDERAL REVENUES**
13 **FOR DISTRIBUTION**

14 General Fund Appropriation for federal flood control funds
15 distribution \$70,000
16 General Fund Appropriation for federal grazing fees
17 distribution \$2,296,000
18 Forest Reserve Fund Appropriation for federal forest
19 reserve fund distribution \$85,200,000
20 TOTAL APPROPRIATION \$87,566,000

21 The total expenditures from the state treasury under the
22 appropriations in this section shall not exceed the funds available
23 under statutory distributions for the stated purposes.

24 NEW SECTION. **Sec. 805. FOR THE STATE TREASURER--TRANSFERS.**

25 State Treasurer's Service Account: For transfer to the
26 state general fund, \$10,400,000 for fiscal year 2010 and
27 \$10,400,000 for fiscal year 2011 \$20,800,000
28 Waste Reduction, Recycling and Litter Control Account: For
29 transfer to the state general fund, \$2,000,000 for fiscal
30 year 2010 and \$2,000,000 for fiscal year 2011 \$4,000,000
31 State Toxics Control Account: For transfer to the state
32 general fund, \$15,340,000 for fiscal year 2010 and
33 \$14,400,000 for fiscal year 2011 \$29,740,000
34 Local Toxics Control Account: For transfer to the state
35 general fund, \$37,060,000 for fiscal year 2010 and
36 \$36,000,000 for fiscal year 2011 \$73,060,000

1 Education Construction Account: For transfer to the state
2 general fund, \$93,362,000 for fiscal year 2010 and
3 \$100,401,000 for fiscal year 2011 \$193,763,000
4 Aquatics Lands Enhancement Account: For transfer to the
5 state general fund, \$5,050,000 for fiscal year 2010
6 and \$5,050,000 for fiscal year 2011 \$10,100,000
7 Drinking Water Assistance Account: For transfer to the
8 drinking water assistance repayment account \$28,600,000
9 Economic Development Strategic Reserve Account: For
10 transfer to the state general fund, \$2,500,000 for
11 fiscal year 2010 and \$2,500,000 for fiscal
12 year 2011 \$5,000,000
13 Tobacco Settlement Account: For transfer to the state
14 general fund, in an amount not to exceed by more
15 than \$26,000,000 the actual amount of the annual
16 payment to the tobacco settlement account \$204,098,000
17 Tobacco Settlement Account: For transfer to the life
18 sciences discovery fund, in an amount not to exceed
19 \$26,000,000 less than the actual amount of the strategic
20 contribution supplemental payment to the tobacco
21 settlement account \$39,170,000
22 General Fund: For transfer to the streamline sales and
23 use tax account, \$31,447,000 for fiscal year 2010 and
24 \$33,591,000 for fiscal year 2011 \$65,038,000
25 State Convention and Trade Center Account: For transfer
26 to the state convention and trade center operations
27 account, \$1,000,000 for fiscal year 2010 and \$3,100,000
28 for fiscal year 2011 \$4,100,000
29 State Convention and Trade Center Account: For transfer
30 to the state general fund, \$11,000,000 in fiscal
31 year 2010 and \$11,000,000 in fiscal year 2011 \$22,000,000
32 Tobacco Prevention and Control Account: For transfer
33 to the state general fund for fiscal year 2010 \$1,961,000
34 Nisqually Earthquake Account: For transfer to the
35 disaster response account for fiscal year 2010 \$500,000
36 Judicial Information Systems Account: For transfer
37 to the state general fund, \$2,500,000 for fiscal
38 year 2010 and \$2,500,000 for fiscal year 2011 \$5,000,000

1 Department of Retirement Systems Expense Account: For
2 transfer to the state general fund for fiscal year
3 2011 \$1,500,000
4 State Emergency Water Projects Account: For transfer
5 to the state general fund, \$390,000 for fiscal
6 year 2011 \$390,000
7 The Charitable, Educational, Penal, and Reformatory
8 Institutions Account: For transfer to the state
9 general fund, \$5,550,000 for fiscal year 2010 and
10 \$5,550,000 for fiscal year 2011 \$11,100,000
11 Energy Freedom Account: For transfer to the state
12 general fund, \$2,978,000 for fiscal year 2010
13 and \$2,978,000 for fiscal year 2011 \$5,956,000
14 Thurston County Capital Facilities Account: For
15 transfer to the state general fund, \$4,194,000 for
16 fiscal year 2010 and \$4,194,000 for fiscal year
17 2011 \$8,388,000
18 Public Works Assistance Account: For transfer to
19 the state general fund, \$184,000,000 for fiscal
20 year 2010 and \$184,000,000 for fiscal year 2011 \$368,000,000
21 Budget Stabilization Account: For transfer to the
22 state general fund for fiscal year 2010 \$45,130,000
23 Liquor Revolving Account: For transfer to the state
24 general fund, \$31,000,000 for fiscal year 2010 and
25 \$31,000,000 for fiscal year 2011 \$62,000,000
26 Public Works Assistance Account: For transfer to the
27 city-county assistance account, \$5,000,000 on
28 July 1, 2009, and \$5,000,000 on July 1, 2010 \$10,000,000
29 Public Works Assistance Account: For transfer to the
30 drinking water assistance account, \$4,000,000 for
31 fiscal year 2010 and \$4,000,000 for fiscal year
32 2011 \$8,000,000
33 Performance Audits of Government Account: For transfer
34 to the state general fund, \$22,120,000 in fiscal year
35 2010 and \$7,120,000 in fiscal year 2011 \$29,240,000

(End of part)

1 (3) Each project will be planned and designed to take optimal
2 advantage of Internet technologies and protocols. Agencies shall
3 ensure that the project is in compliance with the architecture,
4 infrastructure, principles, policies, and standards of digital
5 government as maintained by the information services board.

6 (4) The agency shall produce a feasibility study for information
7 technology projects at the direction of the information services board
8 and in accordance with published department of information services
9 policies and guidelines. At a minimum, such studies shall include a
10 statement of: (a) The purpose or impetus for change; (b) the business
11 value to the agency, including an examination and evaluation of
12 benefits, advantages, and cost; (c) a comprehensive risk assessment
13 based on the proposed project's impact on both citizens and state
14 operations, its visibility, and the consequences of doing nothing; (d)
15 the impact on agency and statewide information infrastructure; and (e)
16 the impact of the proposed enhancements to an agency's information
17 technology capabilities on meeting service delivery demands.

18 (5) The agency shall produce a comprehensive management plan for
19 each project. The plan or plans shall address all factors critical to
20 successful completion of each project. The plan(s) shall include, but
21 is not limited to, the following elements: A description of the
22 problem or opportunity that the information technology project is
23 intended to address; a statement of project objectives and assumptions;
24 a definition and schedule of phases, tasks, and activities to be
25 accomplished; and the estimated cost of each phase. The planning for
26 the phased approach shall be such that the business case justification
27 for a project needs to demonstrate how the project recovers cost or
28 adds measurable value or positive cost benefit to the agency's business
29 functions within each development cycle.

30 (6) The agency shall produce quality assurance plans for
31 information technology projects. Consistent with the direction of the
32 information services board and the published policies and guidelines of
33 the department of information services, the quality assurance plan
34 shall address all factors critical to successful completion of the
35 project and successful integration with the agency and state
36 information technology infrastructure. At a minimum, quality assurance
37 plans shall provide time and budget benchmarks against which project
38 progress can be measured, a specification of quality assurance

1 responsibilities, and a statement of reporting requirements. The
2 quality assurance plans shall set out the functionality requirements
3 for each phase of a project.

4 (7) A copy of each feasibility study, project management plan, and
5 quality assurance plan shall be provided to the department of
6 information services, the office of financial management, and
7 legislative fiscal committees. The plans and studies shall demonstrate
8 a sound business case that justifies the investment of taxpayer funds
9 on any new project, an assessment of the impact of the proposed system
10 on the existing information technology infrastructure, the disciplined
11 use of preventative measures to mitigate risk, and the leveraging of
12 private-sector expertise as needed. Authority to expend any funds for
13 individual information systems projects is conditioned on the approval
14 of the relevant feasibility study, project management plan, and quality
15 assurance plan by the department of information services and the office
16 of financial management.

17 (8) Quality assurance status reports shall be submitted to the
18 department of information services, the office of financial management,
19 and legislative fiscal committees at intervals specified in the
20 project's quality assurance plan.

21 NEW SECTION. **Sec. 903.** (1) The legislature intends to continue
22 the work that began in 2007 with the creation of the information
23 technology work group.

24 (2) The vice-chair of the house ways and means committee, the chair
25 of the general government appropriations committee, and the respective
26 ranking minority members of these two committees shall convene a work
27 group with representation that includes other interested legislators
28 from the house of representatives and the senate, and representatives
29 of the office of the governor, the office of financial management, the
30 department of information services, state agency chief information
31 officers, and the technology sector.

32 (3) The work group will:

33 (a) Review the findings and recommendations of the 2008-2009 state
34 information technology study;

35 (b) Consider how to implement some or all of the study's
36 recommendations; and

1 (c) Consider ways the state may improve the administration and
2 coordination of state information technology and achieve budgetary
3 efficiencies.

4 (4) Staff support for the work group shall be provided by the house
5 of representatives office of program research and the senate committee
6 services to the extent senators participate in the work group.

7 (5) Legislative members of the work group shall be reimbursed for
8 travel expenses in accordance with RCW 44.04.120.

9 (6) The expenses of the work group shall be paid jointly by the
10 senate and the house of representatives. Work group expenditures are
11 subject to approval by the senate facilities and operations committee
12 and the house executive rules committee, or their successor committees.

13 (7) The work group may report its findings and recommendations, if
14 any, in the form of draft legislation.

15 NEW SECTION. **Sec. 904. INFORMATION TECHNOLOGY ENTERPRISE**
16 **SERVICES.** Agencies may make use of the department of information
17 services when acquiring information technology services, products, and
18 assets.

19 "Information technology services" means the acquisition,
20 provisioning, or approval of hardware, software, and purchased or
21 personal services provided by the department of information services.

22 If an information technology enterprise service is provided by the
23 department, or an agency has a specific requirement to acquire
24 hardware, software, or purchased or personal services directly, the
25 agency shall consult with the department of information services.

26 NEW SECTION. **Sec. 905. VIDEO TELECOMMUNICATIONS.** The department
27 of information services shall act as lead agency in coordinating video
28 telecommunications services for state agencies. As lead agency, the
29 department shall develop standards and common specifications for leased
30 and purchased telecommunications equipment and assist state agencies in
31 developing a video telecommunications expenditure plan. No agency may
32 spend any portion of any appropriation in this act for new video
33 telecommunication equipment, new video telecommunication transmission,
34 or new video telecommunication programming, or for expanding current
35 video telecommunication systems without first complying with chapter
36 43.105 RCW, including but not limited to, RCW 43.105.041(2), and

1 without first submitting a video telecommunications expenditure plan,
2 in accordance with the policies of the department of information
3 services, for review and assessment by the department of information
4 services under RCW 43.105.052. Prior to any such expenditure by a
5 public school, a video telecommunications expenditure plan shall be
6 approved by the superintendent of public instruction. The office of
7 the superintendent of public instruction shall submit the plans to the
8 department of information services in a form prescribed by the
9 department. The office of the superintendent of public instruction
10 shall coordinate the use of video telecommunications in public schools
11 by providing educational information to local school districts and
12 shall assist local school districts and educational service districts
13 in telecommunications planning and curriculum development. Prior to
14 any such expenditure by a public institution of postsecondary
15 education, a telecommunications expenditure plan shall be approved by
16 the higher education coordinating board. The higher education
17 coordinating board shall coordinate the use of video telecommunications
18 for instruction and instructional support in postsecondary education,
19 including the review and approval of instructional telecommunications
20 course offerings.

21 NEW SECTION. **Sec. 906. CENTRAL SERVICES.** The governor shall
22 convene a work group consisting of representatives from the central
23 service agencies and their clients to collaborate on methods for
24 providing commonly needed services to state agencies, including, but
25 not limited to: Human resource management, employee benefits, payroll,
26 accounting, purchasing, information technology, real estate services,
27 facility management, building and grounds maintenance, fleet
28 management, printing services, and office mail distribution. The work
29 group should consider the experience of other states and large
30 organizations and should identify opportunities to improve service
31 delivery and reduce costs, including, but not limited to:

- 32 (1) Simplifying processes and gaining efficiencies;
33 (2) Using a shared, common service model;
34 (3) Centralizing services or activities which may lead to
35 consolidating or eliminating existing programs or state agencies; and
36 (4) Revising agencies' authority or governance structures.

1 The work group shall submit a proposal that improves the delivery
2 of central services to state agencies, including changes to the current
3 governance structure, organizational changes that improves and
4 simplifies service delivery, and any statutory changes that may be
5 necessary to the governor by October 1, 2009.

6 NEW SECTION. **Sec. 907. NATURAL RESOURCES ORGANIZATIONS.** The
7 governor shall convene a work group consisting of representatives from
8 the natural resource agencies. The work group shall consider the
9 experience of other states and their organizational structures to
10 identify consolidation opportunities to improve service delivery and
11 reduce costs. The work group shall submit a comprehensive written
12 recommendation to the governor and the office of financial management
13 by September 1, 2009.

14 NEW SECTION. **Sec. 908. PUGET SOUND PROTECTION AND RESTORATION.**
15 Consistent with RCW 90.71.340, when expending appropriations under this
16 act that contribute to Puget Sound protection and recovery, agencies
17 shall consult with the Puget Sound partnership to ensure that
18 expenditures are either in, or consistent with, the 2020 action agenda.

19 NEW SECTION. **Sec. 909. EMERGENCY FUND ALLOCATIONS.** Whenever
20 allocations are made from the governor's emergency fund appropriation
21 to an agency that is financed in whole or in part by other than general
22 fund moneys, the director of financial management may direct the
23 repayment of such allocated amount to the general fund from any balance
24 in the fund or funds which finance the agency. No appropriation shall
25 be necessary to effect such repayment.

26 NEW SECTION. **Sec. 910. STATUTORY APPROPRIATIONS.** In addition
27 to the amounts appropriated in this act for revenues for distribution,
28 state contributions to the law enforcement officers' and fire fighters'
29 retirement system plan 2, and bond retirement and interest including
30 ongoing bond registration and transfer charges, transfers, interest on
31 registered warrants, and certificates of indebtedness, there is also
32 appropriated such further amounts as may be required or available for
33 these purposes under any statutory formula or under chapters 39.94 and
34 39.96 RCW or any proper bond covenant made under law.

1 NEW SECTION. **Sec. 911. BOND EXPENSES.** In addition to such other
2 appropriations as are made by this act, there is hereby appropriated to
3 the state finance committee from legally available bond proceeds in the
4 applicable construction or building funds and accounts such amounts as
5 are necessary to pay the expenses incurred in the issuance and sale of
6 the subject bonds.

7 NEW SECTION. **Sec. 912. VOLUNTARY RETIREMENT, SEPARATION, AND**
8 **DOWNSHIFTING INCENTIVES.** As a management tool to reduce costs and make
9 more effective use of resources, while improving employee productivity
10 and morale, agencies may implement a voluntary retirement, separation,
11 and/or downshifting incentive program that is cost neutral or results
12 in cost savings over a two year period following the commencement of
13 the program, provided that such a program is approved by the director
14 of financial management.

15 Agencies participating in this authorization may offer voluntary
16 retirement, separation, and/or downshifting incentives and options
17 according to procedures and guidelines established by the office of
18 financial management, in consultation with the department of personnel
19 and the department of retirement systems. The options may include, but
20 are not limited to, financial incentives for: Voluntary separation or
21 retirement, voluntary leave-without-pay, voluntary workweek or work
22 hour reduction, voluntary downward movement, or temporary separation
23 for development purposes. An employee does not have a contractual
24 right to a financial incentive offered pursuant to this section.

25 Offers shall be reviewed and monitored jointly by the department of
26 personnel and the department of retirement systems. Agencies are
27 required to submit a report by June 30, 2011, to the legislature and
28 the office of financial management on the outcome of their approved
29 incentive program. The report should include information on the
30 details of the program including resulting service delivery changes,
31 agency efficiencies, the cost of the incentive per participant, the
32 total cost to the state, and the projected or actual net dollar savings
33 over the 2009-11 biennium.

34 NEW SECTION. **Sec. 913. ADMINISTRATIVE REDUCTIONS.** (1) The
35 appropriations in this act reflect significant reductions in the
36 appropriations for the administrative expenses of state government. It

1 is the intent of the legislature that these reductions shall be
2 achieved, to the greatest extent possible, by reducing those
3 administrative costs that do not affect direct client services or
4 direct service delivery or programs. Agencies shall review their
5 management costs and reduce expenditures on salaries and benefits for
6 management positions as part of these administrative reductions.

7 (2) To the extent permitted by the applicable personnel system
8 rules, and to the extent collectively bargained with represented
9 employees where applicable, the agencies and institutions of state
10 government are encouraged to achieve the reductions in full-time-
11 equivalent employment and payroll levels necessary to operate within
12 these appropriations through strategies that will minimize impacts on
13 employees, their families, their communities, and short- and long-term
14 accomplishment of the agency's mission. Agencies are encouraged to use
15 strategies such as reduced work-hours per day or week, voluntary leave
16 without pay, and temporary furloughs that enable employees to maintain
17 permanent employment status. Agencies are further encouraged to
18 implement such strategies in ways that will enable employees to
19 maintain full insurance benefits, full accrual of retirement service
20 credit, and a living wage.

21 NEW SECTION. **Sec. 914. COMPENSATION--INSURANCE BENEFITS.**

22 Appropriations for state agencies in this act are sufficient for
23 nonrepresented and represented state employee health benefits for state
24 agencies, including institutions of higher education and are subject to
25 the following conditions and limitations:

26 (1)(a) The monthly employer funding rate for insurance benefit
27 premiums, public employees' benefits board administration, and the
28 uniform medical plan, shall not exceed \$745 per eligible employee for
29 fiscal year 2010. For fiscal year 2011 the monthly employer funding
30 rate shall not exceed \$768 per eligible employee.

31 (b) In order to achieve the level of funding provided for health
32 benefits, the public employees' benefits board shall require any or all
33 of the following: Employee premium copayments, increases in
34 point-of-service cost sharing, the implementation of managed
35 competition, or make other changes to benefits consistent with RCW
36 41.05.065. During the 2009-11 fiscal biennium, the board may only
37 authorize benefit plans and premium contributions for an employee and

1 the employee's dependents that are the same, regardless of an
2 employee's status as represented or nonrepresented under the personnel
3 system reform act of 2002.

4 (c) The health care authority shall deposit any moneys received on
5 behalf of the uniform medical plan as a result of rebates on
6 prescription drugs, audits of hospitals, subrogation payments, or any
7 other moneys recovered as a result of prior uniform medical plan claims
8 payments, into the public employees' and retirees' insurance account to
9 be used for insurance benefits. Such receipts shall not be used for
10 administrative expenditures.

11 (d) The conditions in this section apply to benefits for
12 nonrepresented employees, employees represented by the super coalition,
13 and represented employees outside of the super coalition, including
14 employees represented under chapter 47.64 RCW.

15 (2) The health care authority, subject to the approval of the
16 public employees' benefits board, shall provide subsidies for health
17 benefit premiums to eligible retired or disabled public employees and
18 school district employees who are eligible for medicare, pursuant to
19 RCW 41.05.085. From January 1, 2010, through the remainder of the
20 2009-11 fiscal biennium, the subsidy shall be \$182.89.

21 (3) Technical colleges, school districts, and educational service
22 districts shall remit to the health care authority for deposit into the
23 public employees' and retirees' insurance account established in RCW
24 41.05.120 the following amounts:

25 (a) For each full-time employee, \$59.59 per month beginning
26 September 1, 2009, and \$64.90 beginning September 1, 2010;

27 (b) For each part-time employee, who at the time of the remittance
28 is employed in an eligible position as defined in RCW 41.32.010 or
29 41.40.010 and is eligible for employer fringe benefit contributions for
30 basic benefits, \$59.59 each month beginning September 1, 2009, and
31 \$64.90 beginning September 1, 2010, prorated by the proportion of
32 employer fringe benefit contributions for a full-time employee that the
33 part-time employee receives. The remittance requirements specified in
34 this subsection shall not apply to employees of a technical college,
35 school district, or educational service district who purchase insurance
36 benefits through contracts with the health care authority.

1 NEW SECTION. **Sec. 915. COMPENSATION--REVISE PENSION CONTRIBUTION**
2 **RATES.** The appropriations for school districts and state agencies,
3 including institutions of higher education are subject to the following
4 conditions and limitations: Appropriations are adjusted to reflect
5 changes to agency appropriations to reflect savings resulting from
6 changes to pension funding as provided in Engrossed Substitute Senate
7 Bill No. 6161 (actuarial funding of pension systems). If the bill is
8 not enacted by June 30, 2009, this section shall lapse.

9 NEW SECTION. **Sec. 916. COLLECTIVE BARGAINING AGREEMENTS NOT**
10 **IMPAIRED.** Nothing in this act or chapter 5 (ESSB 5460), Laws of 2009
11 prohibits the expenditure of any funds by an agency or institution of
12 the state for benefits guaranteed by any collective bargaining
13 agreement in effect on the effective date of chapter 5, Laws of 2009
14 (February 18, 2009).

15 NEW SECTION. **Sec. 917. FIRST-TIME HOME BUYERS.** To accelerate
16 the receipt of federal tax credits for first-time home buyers provided
17 in the 2009 American recovery and relief act, the state housing finance
18 commission is authorized to obtain services from a qualified public
19 depository. The housing finance commission and the state treasurer are
20 further authorized to enter into an agreement with the selected public
21 depository to receive an off-setting deposit of up to \$25,000,000 in
22 state funds. The off-setting deposit shall be made at market rates.
23 Deposit can only be made from May 1, 2009, until the expiration of the
24 federal tax credit if an established account with a minimum value of
25 \$400,000, at least \$200,000 of which must be cash, exists to finance
26 first losses, and funds are used consistent with federal requirements.

27 **Sec. 918.** RCW 2.68.020 and 2005 c 282 s 11 are each amended to
28 read as follows:

29 There is created an account in the custody of the state treasurer
30 to be known as the judicial information system account. The
31 administrative office of the courts shall maintain and administer the
32 account, in which shall be deposited all moneys received from in-state
33 noncourt users and any out-of-state users of the judicial information
34 system and moneys as specified in RCW 2.68.040 for the purposes of
35 providing judicial information system access to noncourt users and

1 providing an adequate level of automated services to the judiciary.
2 The legislature shall appropriate the funds in the account for the
3 purposes of the judicial information system. The account shall be used
4 for the acquisition of equipment, software, supplies, services, and
5 other costs incidental to the acquisition, development, operation, and
6 administration of information services, telecommunications, systems,
7 software, supplies, and equipment, including the payment of principal
8 and interest on items paid in installments. During the 2009-2011
9 fiscal biennium, the legislature may transfer from the judicial
10 information system account to the state general fund such amounts as
11 reflect the excess fund balance of the account.

12 **Sec. 919.** RCW 28A.160.130 and 1991 c 114 s 2 are each amended to
13 read as follows:

14 (1) There is created a fund on deposit with each county treasurer
15 for each school district of the county, which shall be known as the
16 transportation vehicle fund. Money to be deposited into the
17 transportation vehicle fund shall include, but is not limited to, the
18 following:

19 (a) The balance of accounts held in the general fund of each school
20 district for the purchase of approved transportation equipment and for
21 major transportation equipment repairs under RCW 28A.150.280. The
22 amount transferred shall be the balance of the account as of September
23 1, 1982;

24 (b) Reimbursement payments provided for in RCW 28A.160.200 except
25 those provided under RCW 28A.160.200(~~(+4)~~) (3) that are necessary for
26 contracted payments to private carriers;

27 (c) Earnings from transportation vehicle fund investments as
28 authorized in RCW 28A.320.300; and

29 (d) The district's share of the proceeds from the sale of
30 transportation vehicles, as determined by the superintendent of public
31 instruction.

32 (2) Funds in the transportation vehicle fund may be used for the
33 following purposes:

34 (a) Purchase of pupil transportation vehicles pursuant to RCW
35 28A.160.200 and 28A.150.280;

36 (b) Payment of conditional sales contracts as authorized in RCW

1 28A.335.200 or payment of obligations authorized in RCW 28A.530.080,
2 entered into or issued for the purpose of pupil transportation
3 vehicles;

4 (c) Major repairs to pupil transportation vehicles;

5 (d) For the 2009-2011 biennium, a school district that is wholly
6 contained on an island and has a student enrollment greater than two
7 hundred fifty students and fewer than five hundred and fifty students
8 may transfer from the transportation vehicle fund to the school
9 district's general fund such amounts as necessary for instructional
10 costs.

11 The superintendent of public instruction shall adopt rules which
12 shall establish the standards, conditions, and procedures governing the
13 establishment and use of the transportation vehicle fund. The rules
14 shall not permit the transfer of funds from the transportation vehicle
15 fund to any other fund of the district, except as provided under
16 subsection (2)(d) of this section.

17 **Sec. 920.** RCW 28B.105.110 and 2008 c 329 s 908 are each amended to
18 read as follows:

19 (1) The GET ready for math and science scholarship account is
20 created in the custody of the state treasurer.

21 (2) The board shall deposit into the account all money received for
22 the GET ready for math and science scholarship program from
23 appropriations and private sources. The account shall be
24 self-sustaining.

25 (3) Expenditures from the account shall be used for scholarships to
26 eligible students and for purchases of GET units. Purchased GET units
27 shall be owned and held in trust by the board. Expenditures from the
28 account shall be an equal match of state appropriations and private
29 funds raised by the program administrator. During the ~~((2007-09))~~
30 2009-2011 fiscal biennium, expenditures from the account not to exceed
31 five percent may be used by the program administrator to carry out the
32 provisions of RCW 28B.105.090.

33 (4) With the exception of the operating costs associated with the
34 management of the account by the treasurer's office as authorized in
35 chapter 43.79A RCW, the account shall be credited with all investment
36 income earned by the account.

1 (5) Disbursements from the account are exempt from appropriations
2 and the allotment provisions of chapter 43.88 RCW.

3 (6) Disbursements from the account shall be made only on the
4 authorization of the board.

5 **Sec. 921.** RCW 35.104.060 and 2007 c 251 s 6 are each amended to
6 read as follows:

7 (1) The authority has all the general powers necessary to carry out
8 its purposes and duties and to exercise its specific powers, including
9 the authority may:

10 (a) Sue and be sued in its own name;

11 (b) Make and execute agreements, contracts, and other instruments,
12 with any public or private entity or person, in accordance with this
13 chapter;

14 (c) Employ, contract with, or engage independent counsel, financial
15 advisors, auditors, other technical or professional assistants, and
16 such other personnel as are necessary or desirable to implement this
17 chapter;

18 (d) Establish such special funds, and control deposits to and
19 disbursements from them, as it finds convenient for the implementation
20 of this chapter;

21 (e) Enter into contracts with public and private entities for
22 research to be conducted in this state;

23 (f) Delegate any of its powers and duties if consistent with the
24 purposes of this chapter;

25 (g) Exercise any other power reasonably required to implement the
26 purposes of this chapter; and

27 (h) Hire staff and pay administrative costs; however, such expenses
28 shall be paid from moneys provided by the sponsoring local government
29 and moneys received from gifts, grants, and bequests and the interest
30 earned on the authority's accounts and investments. During the 2009-
31 2011 fiscal biennium, up to ten percent of the amounts received under
32 RCW 82.14.480 may be used by a health services and sciences authority
33 for the purposes of subsections (1)(c) and (h) of this section.

34 (2) In addition to other powers and duties prescribed in this
35 chapter, the authority is empowered to:

36 (a) Use the authority's public moneys, leveraging those moneys with
37 amounts received from other public and private sources in accordance

1 with contribution agreements, to promote bioscience-based economic
2 development, and to advance new therapies and procedures to combat
3 disease and promote public health;

4 (b) Solicit and receive gifts, grants, and bequests, and enter into
5 contribution agreements with private entities and public entities to
6 receive moneys in consideration of the authority's promise to leverage
7 those moneys with the revenue generated by the tax authorized under RCW
8 82.14.480 and contributions from other public entities and private
9 entities, in order to use those moneys to promote bioscience-based
10 economic development and advance new therapies and procedures to combat
11 disease and promote public health;

12 (c) Hold funds received by the authority in trust for their use
13 pursuant to this chapter to promote bioscience-based economic
14 development and advance new therapies and procedures to combat disease
15 and promote public health;

16 (d) Manage its funds, obligations, and investments as necessary and
17 consistent with its purpose, including the segregation of revenues into
18 separate funds and accounts;

19 (e) Make grants to entities pursuant to contract to promote
20 bioscience-based economic development and advance new therapies and
21 procedures to combat disease and promote public health. Grant
22 agreements shall specify the deliverables to be provided by the
23 recipient pursuant to the grant. Grants to private entities may only
24 be provided under a contractual agreement that ensures the state will
25 receive appropriate consideration, such as an assurance of job creation
26 or retention, or the delivery of services that provide for the public
27 health, safety, and welfare. The authority shall solicit requests for
28 funding and evaluate the requests by reference to factors such as: (i)
29 The quality of the proposed research; (ii) its potential to improve
30 health outcomes, with particular attention to the likelihood that it
31 will also lower health care costs, substitute for a more costly
32 diagnostic or treatment modality, or offer a breakthrough treatment for
33 a particular disease or condition; (iii) its potential to leverage
34 additional funding; (iv) its potential to provide health care benefits;
35 (v) its potential to stimulate employment; and (vi) evidence of public
36 and private collaboration;

37 (f) Create one or more advisory boards composed of scientists,

1 industrialists, and others familiar with health sciences and services;
2 and

3 (g) Adopt policies and procedures to facilitate the orderly process
4 of grant application, review, and reward.

5 (3) The records of the authority shall be subject to audit by the
6 office of the state auditor.

7 **Sec. 922.** RCW 38.52.106 and 2008 c 329 s 909 are each amended to
8 read as follows:

9 The Nisqually earthquake account is created in the state treasury.
10 Moneys may be placed in the account from tax revenues, budget transfers
11 or appropriations, federal appropriations, gifts, or any other lawful
12 source. Moneys in the account may be spent only after appropriation.
13 Moneys in the account shall be used only to support state and local
14 government disaster response and recovery efforts associated with the
15 Nisqually earthquake. During the 2003-2005 fiscal biennium, the
16 legislature may transfer moneys from the Nisqually earthquake account
17 to the disaster response account for fire suppression and mobilization
18 costs. During the 2007-2009 fiscal biennium, moneys in the account may
19 also be used to support disaster response and recovery efforts
20 associated with flood and storm damage. During the 2009-2011 fiscal
21 biennium, the legislature may transfer moneys from the Nisqually
22 earthquake account to the disaster response account for disaster
23 response and recovery efforts associated with flood and storm damage.

24 **Sec. 923.** RCW 41.48.060 and 1991 sp.s. c 13 s 112 are each amended
25 to read as follows:

26 (1) There is hereby established a special account in the state
27 treasury to be known as the OASI contribution account. Such account
28 shall consist of and there shall be deposited in such account: (a) All
29 contributions and penalties collected under RCW 41.48.040 and
30 41.48.050; (b) all moneys appropriated thereto under this chapter; (c)
31 any property or securities belonging to the account; and (d) all sums
32 recovered upon the bond of the custodian or otherwise for losses
33 sustained by the account and all other moneys received for the account
34 from any other source. All moneys in the account shall be mingled and
35 undivided. Subject to the provisions of this chapter, the governor is
36 vested with full power, authority and jurisdiction over the account,

1 including all moneys and property or securities belonging thereto, and
2 may perform any and all acts whether or not specifically designated,
3 which are necessary to the administration thereof and are consistent
4 with the provisions of this chapter. During the 2009-2011 fiscal
5 biennium, moneys in the OASI contribution account may also be
6 transferred into the OASI revolving fund.

7 (2) The OASI contribution account shall be established and held
8 separate and apart from any other funds of the state and shall be used
9 and administered exclusively for the purpose of this chapter.
10 Withdrawals from such account shall be made for, and solely for (a)
11 payment of amounts required to be paid to the secretary of the treasury
12 pursuant to an agreement entered into under RCW 41.48.030; (b) payment
13 of refunds provided for in RCW 41.48.040(3); and (c) refunds of
14 overpayments, not otherwise adjustable, made by a political subdivision
15 or instrumentality.

16 (3) From the OASI contribution account the custodian of the fund
17 [account] shall pay to the secretary of the treasury such amounts and
18 at such time or times as may be directed by the governor in accordance
19 with any agreement entered into under RCW 41.48.030 and the social
20 security act.

21 (4) The treasurer of the state shall be ex officio treasurer and
22 custodian of the OASI contribution account and shall administer such
23 account in accordance with the provisions of this chapter and the
24 directions of the governor and shall pay all warrants drawn upon it in
25 accordance with the provisions of this section and with the regulations
26 as the governor may prescribe pursuant thereto.

27 **Sec. 924.** RCW 41.50.110 and 2008 c 329 s 911 are each amended to
28 read as follows:

29 (1) Except as provided by RCW 41.50.255 and subsection (6) of this
30 section, all expenses of the administration of the department, the
31 expenses of administration of the retirement systems, and the expenses
32 of the administration of the office of the state actuary created in
33 chapters 2.10, 2.12, 41.26, 41.32, 41.40, 41.34, 41.35, 41.37, 43.43,
34 and 44.44 RCW shall be paid from the department of retirement systems
35 expense fund.

36 (2) In order to reimburse the department of retirement systems
37 expense fund on an equitable basis the department shall ascertain and

1 report to each employer, as defined in RCW 41.26.030, 41.32.010,
2 41.35.010, 41.37.010, or 41.40.010, the sum necessary to defray its
3 proportional share of the entire expense of the administration of the
4 retirement system that the employer participates in during the ensuing
5 biennium or fiscal year whichever may be required. Such sum is to be
6 computed in an amount directly proportional to the estimated entire
7 expense of the administration as the ratio of monthly salaries of the
8 employer's members bears to the total salaries of all members in the
9 entire system. It shall then be the duty of all such employers to
10 include in their budgets or otherwise provide the amounts so required.

11 (3) The department shall compute and bill each employer, as defined
12 in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, at the
13 end of each month for the amount due for that month to the department
14 of retirement systems expense fund and the same shall be paid as are
15 its other obligations. Such computation as to each employer shall be
16 made on a percentage rate of salary established by the department.
17 However, the department may at its discretion establish a system of
18 billing based upon calendar year quarters in which event the said
19 billing shall be at the end of each such quarter.

20 (4) The director may adjust the expense fund contribution rate for
21 each system at any time when necessary to reflect unanticipated costs
22 or savings in administering the department.

23 (5) An employer who fails to submit timely and accurate reports to
24 the department may be assessed an additional fee related to the
25 increased costs incurred by the department in processing the deficient
26 reports. Fees paid under this subsection shall be deposited in the
27 retirement system expense fund.

28 (a) Every six months the department shall determine the amount of
29 an employer's fee by reviewing the timeliness and accuracy of the
30 reports submitted by the employer in the preceding six months. If
31 those reports were not both timely and accurate the department may
32 prospectively assess an additional fee under this subsection.

33 (b) An additional fee assessed by the department under this
34 subsection shall not exceed fifty percent of the standard fee.

35 (c) The department shall adopt rules implementing this section.

36 (6) Expenses other than those under RCW 41.34.060(3) shall be paid
37 pursuant to subsection (1) of this section.

1 (7) During the 2007-2009 and 2009-2011 fiscal (~~(biennium)~~) biennia,
2 the legislature may transfer from the department of retirement systems'
3 expense fund to the state general fund such amounts as reflect the
4 excess fund balance of the fund.

5 **Sec. 925.** RCW 43.03.310 and 1998 c 164 s 1 are each amended to
6 read as follows:

7 (1) The citizens' commission on salaries for elected officials
8 shall study the relationship of salaries to the duties of members of
9 the legislature, all elected officials of the executive branch of state
10 government, and all judges of the supreme court, court of appeals,
11 superior courts, and district courts, and shall fix the salary for each
12 respective position.

13 (2) Except as provided otherwise in RCW 43.03.305 and this section,
14 the commission shall be solely responsible for its own organization,
15 operation, and action and shall enjoy the fullest cooperation of all
16 state officials, departments, and agencies.

17 (3) Members of the commission shall receive no compensation for
18 their services, but shall be eligible to receive a subsistence
19 allowance and travel expenses pursuant to RCW 43.03.050 and 43.03.060.

20 (4) The members of the commission shall elect a chair from among
21 their number. The commission shall set a schedule of salaries by an
22 affirmative vote of not less than nine members of the commission.

23 (5) The commission shall file its initial schedule of salaries for
24 the elected officials with the secretary of state no later than the
25 first Monday in June, 1987, and shall file a schedule biennially
26 thereafter. Each such schedule shall be filed in legislative bill
27 form, shall be assigned a chapter number and published with the session
28 laws of the legislature, and shall be codified by the statute law
29 committee. The signature of the chair of the commission shall be
30 affixed to each schedule submitted to the secretary of state. The
31 chair shall certify that the schedule has been adopted in accordance
32 with the provisions of state law and with the rules, if any, of the
33 commission. Such schedules shall become effective ninety days after
34 the filing thereof, except as provided in Article XXVIII, section 1 of
35 the state Constitution. State laws regarding referendum petitions
36 shall apply to such schedules to the extent consistent with Article
37 XXVIII, section 1 of the state Constitution.

1 (6) Before the filing of any salary schedule, the commission shall
2 first develop a proposed salary schedule and then hold no fewer than
3 four regular meetings as defined by chapter 42.30 RCW to take public
4 testimony on the proposed schedule within the four months immediately
5 preceding the filing. In the 2009-2011 fiscal biennium, the commission
6 shall hold no more than two regular meetings as defined by chapter
7 42.30 RCW to take public testimony on the proposed schedule within the
8 four months immediately preceding the filing. At the last public
9 hearing that is held as a regular meeting on the proposed schedule, the
10 commission shall adopt the salary schedule as originally proposed or as
11 amended at that meeting that will be filed with the secretary of state.

12 (7) All meetings, actions, hearings, and business of the commission
13 shall be subject in full to the open public meetings act, chapter 42.30
14 RCW.

15 (8) Salaries of the officials referred to in subsection (1) of this
16 section that are in effect on January 12, 1987, shall continue until
17 modified by the commission under this section.

18 **Sec. 926.** RCW 43.08.190 and 2008 c 329 s 912 are each amended to
19 read as follows:

20 There is hereby created a fund within the state treasury to be
21 known as the "state treasurer's service fund." Such fund shall be used
22 solely for the payment of costs and expenses incurred in the operation
23 and administration of the state treasurer's office.

24 Moneys shall be allocated monthly and placed in the state
25 treasurer's service fund equivalent to a maximum of one percent of the
26 trust and treasury average daily cash balances from the earnings
27 generated under the authority of RCW 43.79A.040 and 43.84.080 other
28 than earnings generated from investment of balances in funds and
29 accounts specified in RCW 43.79A.040 or 43.84.092(4). The allocation
30 shall precede the distribution of the remaining earnings as prescribed
31 under RCW 43.79A.040 and 43.84.092. The state treasurer shall
32 establish a uniform allocation rate based on the appropriations for the
33 treasurer's office.

34 During the ((2007-2009)) 2009-2011 fiscal biennium, the legislature
35 may transfer from the state treasurer's service fund to the state
36 general fund such amounts as reflect the excess fund balance of the
37 fund.

1 **Sec. 927.** RCW 43.09.260 and 1995 c 301 s 15 are each amended to
2 read as follows:

3 (1) The examination of the financial affairs of all local
4 governments shall be made at such reasonable, periodic intervals as the
5 state auditor shall determine. However, an examination of the
6 financial affairs of all local governments shall be made at least once
7 in every three years, and an examination of individual local government
8 health and welfare benefit plans and local government self-insurance
9 programs shall be made at least once every two years.

10 (2) During the 2009-2011 fiscal biennium, the state auditor shall
11 conduct audits no more often than once every two years of local
12 governments with annual general fund revenues of ten million dollars or
13 less and no findings of impropriety for the three-year period
14 immediately preceding the audit period. This subsection does not
15 prohibit the state auditor from conducting audits: (a) To address
16 suspected fraud or irregular conduct; (b) at the request of the local
17 government governing body; or (c) as required by federal laws or
18 regulations.

19 (3) The term local governments for purposes of this chapter
20 includes but is not limited to all counties, cities, and other
21 political subdivisions, municipal corporations, and quasi-municipal
22 corporations, however denominated.

23 (4) The state auditor shall establish a schedule to govern the
24 auditing of local governments which shall include: A designation of
25 the various classifications of local governments; a designation of the
26 frequency for auditing each type of local government; and a description
27 of events which cause a more frequent audit to be conducted.

28 (5) On every such examination, inquiry shall be made as to the
29 financial condition and resources of the local government; whether the
30 Constitution and laws of the state, the ordinances and orders of the
31 local government, and the requirements of the state auditor have been
32 properly complied with; and into the methods and accuracy of the
33 accounts and reports.

34 (6) A report of such examination shall be made and filed in the
35 office of state auditor, and one copy shall be transmitted to the local
36 government. A copy of any report containing findings of noncompliance
37 with state law shall be transmitted to the attorney general. If any
38 such report discloses malfeasance, misfeasance, or nonfeasance in

1 office on the part of any public officer or employee, within thirty
2 days from the receipt of his or her copy of the report, the attorney
3 general shall institute, in the proper county, such legal action as is
4 proper in the premises by civil process and prosecute the same to final
5 determination to carry into effect the findings of the examination.

6 (7) It shall be unlawful for any local government or the
7 responsible head thereof, to make a settlement or compromise of any
8 claim arising out of such malfeasance, misfeasance, or nonfeasance, or
9 any action commenced therefor, or for any court to enter upon any
10 compromise or settlement of such action, without the written approval
11 and consent of the attorney general and the state auditor.

12 **Sec. 928.** RCW 43.09.282 and 2008 c 328 s 6007 are each amended to
13 read as follows:

14 For the purposes of centralized funding, accounting, and
15 distribution of the costs of the audits performed on local governments
16 by the state auditor, there is hereby created an account entitled the
17 municipal revolving account. The state treasurer shall be custodian of
18 the account. All moneys received by the state auditor or by any
19 officer or employee thereof shall be deposited with the state treasurer
20 and credited to the municipal revolving account. Only the state
21 auditor or the auditor's designee may authorize expenditures from the
22 account. No appropriation is required for expenditures. The state
23 auditor shall keep such records as are necessary to detail the auditing
24 costs attributable to the various types of local governments. (~~During~~
25 ~~the 2007-2009 fiscal biennium, the legislature may transfer from the~~
26 ~~municipal revolving account to the Washington state heritage center~~
27 ~~account such amounts as reflect excess fund balance in the account.))
28 During the 2009-2011 fiscal biennium, the state auditor shall reduce
29 the municipal revolving account charges for financial audits performed
30 on local governments by five percent.~~

31 **Sec. 929.** RCW 43.09.475 and 2006 c 1 s 5 are each amended to read
32 as follows:

33 The performance audits of government account is hereby created in
34 the custody of the state treasurer. Revenue identified in RCW
35 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money
36 in the account shall be used to fund the performance audits and follow-

1 up performance audits under RCW 43.09.470 and shall be expended by the
2 state auditor in accordance with chapter 1, Laws of 2006. Only the
3 state auditor or the state auditor's designee may authorize
4 expenditures from the account. The account is subject to allotment
5 procedures under chapter 43.88 RCW, but an appropriation is not
6 required for expenditures. During the 2009-2011 fiscal biennium, the
7 legislature may transfer from the performance audits of government
8 account to the state general fund such amounts as deemed to be
9 appropriate or necessary.

10 **Sec. 930.** RCW 43.10.180 and 2007 c 522 s 951 are each amended to
11 read as follows:

12 (1) The attorney general shall keep such records as are necessary
13 to facilitate proper allocation of costs to funds and agencies served
14 and the director of financial management shall prescribe appropriate
15 accounting procedures to accurately allocate costs to funds and
16 agencies served. Billings shall be adjusted in line with actual costs
17 incurred at intervals not to exceed six months.

18 (2) During the ((2007-2009)) 2009-2011 fiscal biennium, all
19 expenses for administration of the office of the attorney general shall
20 be allocated to and paid from the legal services revolving fund in
21 accordance with accounting procedures prescribed by the director of
22 financial management.

23 **Sec. 931.** RCW 43.17.390 and 2005 c 384 s 4 are each amended to
24 read as follows:

25 Starting ((no later than 2008)) in 2012, and at least once every
26 three years thereafter, each agency shall apply to the Washington state
27 quality award, or similar organization, for an independent assessment
28 of its quality management, accountability, and performance system. The
29 assessment shall evaluate the effectiveness of all elements of its
30 management, accountability, and performance system, including:
31 Leadership, strategic planning, customer focus, analysis and
32 information, employee performance management, and process improvement.
33 The purpose of the assessment is to recognize best practice and
34 identify improvement opportunities.

1 **Sec. 932.** RCW 43.19.501 and 2008 c 328 s 6016 are each amended to
2 read as follows:

3 The Thurston county capital facilities account is created in the
4 state treasury. The account is subject to the appropriation and
5 allotment procedures under chapter 43.88 RCW. Moneys in the account
6 may be expended for capital projects in facilities owned and managed by
7 the department of general administration in Thurston county. For the
8 2007-2009 biennium, moneys in the account may be used for predesign
9 identified in section 1037, chapter 328, Laws of 2008.

10 During the 2009-2011 fiscal biennium, the legislature may transfer
11 from the Thurston county capital facilities account to the state
12 general fund such amounts as reflect the excess fund balance of the
13 account.

14 **Sec. 933.** RCW 43.21A.667 and 2005 c 464 s 4 are each amended to
15 read as follows:

16 (1) The freshwater aquatic algae control account is created in the
17 state treasury. Moneys directed to the account from RCW 88.02.050 must
18 be deposited in the account. Expenditures from the account may only be
19 used as provided in this section. Moneys in the account may be spent
20 only after appropriation.

21 (2) Funds in the freshwater aquatic algae control account may be
22 appropriated to the department to develop a freshwater aquatic algae
23 control program. Funds must be expended as follows:

24 (a) As grants to cities, counties, tribes, special purpose
25 districts, and state agencies to manage excessive freshwater algae,
26 with priority for the treatment of lakes in which harmful algal blooms
27 have occurred within the past three years; and during the 2009-2011
28 fiscal biennium to provide grants for sea lettuce research and removal
29 to assist Puget Sound communities that are impacted by hyperblooms of
30 sea lettuce; and

31 (b) To provide technical assistance to applicants and the public
32 about aquatic algae control.

33 (3) The department shall submit a biennial report to the
34 appropriate legislative committees describing the actions taken to
35 implement this section along with suggestions on how to better fulfill
36 the intent of chapter 464, Laws of 2005. The first report is due
37 December 1, 2007.

1 NEW SECTION. **Sec. 934.** A new section is added to chapter 43.70
2 RCW to read as follows:

3 The universal vaccine purchase account is created in the custody of
4 the state treasurer. Receipts from public and private sources for the
5 purpose of increasing access to vaccines for children may be deposited
6 into the account. Expenditures from the account must be used
7 exclusively for the purchase of vaccines, at no cost to health care
8 providers in Washington, to administer to children under nineteen years
9 old who are not eligible to receive vaccines at no cost through federal
10 programs. The account is subject to allotment procedures under chapter
11 43.88 RCW, but an appropriation is not required for expenditures.

12 **Sec. 935.** RCW 43.79.201 and 1995 c 399 s 77 are each amended to
13 read as follows:

14 (1) The charitable, educational, penal and reformatory institutions
15 account is hereby created, in the state treasury, into which account
16 there shall be deposited all moneys arising from the sale, lease or
17 transfer of the land granted by the United States government to the
18 state for charitable, educational, penal and reformatory institutions
19 by section 17 of the enabling act, or otherwise set apart for such
20 institutions, except all moneys arising from the sale, lease, or
21 transfer of that certain one hundred thousand acres of such land
22 assigned for the support of the University of Washington by chapter 91,
23 Laws of 1903 and section 9, chapter 122, Laws of 1893.

24 (2) If feasible, not less than one-half of all income to the
25 charitable, educational, penal, and reformatory institutions account
26 shall be appropriated for the purpose of providing housing, including
27 repair and renovation of state institutions, for persons (~~who are~~
28 ~~mentally ill, developmentally disabled~~) with mental illness or
29 developmental disabilities, or youth who are blind, deaf, or otherwise
30 disabled. If moneys are appropriated for community-based housing, the
31 moneys shall be appropriated to the department of community, trade, and
32 economic development for the housing assistance program under chapter
33 43.185 RCW. During the 2009-2011 fiscal biennium, the legislature may
34 transfer from the charitable, educational, penal and reformatory
35 institutions account to the state general fund such amounts as reflect
36 excess fund balance of the fund.

1 **Sec. 936.** RCW 43.79.460 and 2009 c 4 s 902 are each amended to
2 read as follows:

3 (1) The savings incentive account is created in the custody of the
4 state treasurer. The account shall consist of all moneys appropriated
5 to the account by the legislature. The account is subject to the
6 allotment procedures under chapter 43.88 RCW, but no appropriation is
7 required for expenditures from the account.

8 (2) Within the savings incentive account, the state treasurer may
9 create subaccounts to be credited with incentive savings attributable
10 to individual state agencies, as determined by the office of financial
11 management in consultation with the legislative fiscal committees.
12 Moneys deposited in the subaccounts may be expended only on the
13 authorization of the agency's executive head or designee and only for
14 the purpose of one-time expenditures to improve the quality,
15 efficiency, and effectiveness of services to customers of the state,
16 such as one-time expenditures for employee training, employee
17 incentives, technology improvements, new work processes, or performance
18 measurement. Funds may not be expended from the account to establish
19 new programs or services, expand existing programs or services, or
20 incur ongoing costs that would require future expenditures.

21 (3) For purposes of this section, "incentive savings" means state
22 general fund appropriations that are unspent as of June 30th of a
23 fiscal year, excluding any amounts included in across-the-board
24 reductions under RCW 43.88.110 and excluding unspent appropriations
25 for:

26 (a) Caseload and enrollment in entitlement programs, except to the
27 extent that an agency has clearly demonstrated that efficiencies have
28 been achieved in the administration of the entitlement program.
29 "Entitlement program," as used in this section, includes programs for
30 which specific sums of money are appropriated for pass-through to third
31 parties or other entities;

32 (b) Enrollments in state institutions of higher education;

33 (c) A specific amount contained in a condition or limitation to an
34 appropriation in the biennial appropriations act, if the agency did not
35 achieve the specific purpose or objective of the condition or
36 limitation;

37 (d) Debt service on state obligations; and

38 (e) State retirement system obligations.

1 (4) The office of financial management, after consulting with the
2 legislative fiscal committees, shall report to the treasurer the amount
3 of savings incentives achieved. By December 1, (~~1998~~) 2010, and each
4 December 1st thereafter, the office of financial management shall
5 submit a report to the fiscal committees of the legislature on the
6 implementation of this section. The report shall (a) evaluate the
7 impact of this section on agency reversions and end-of-biennium
8 expenditure patterns, and (b) itemize agency expenditures from the
9 savings recovery account. The office of financial management is
10 relieved from having to submit a report by December 1, 2008.

11 (5) For fiscal year 2009, the legislature may transfer from the
12 savings incentive account to the state general fund such amounts as
13 reflect the fund balance of the account attributable to unspent state
14 general fund appropriations for fiscal year 2008.

15 **Sec. 937.** RCW 43.79.480 and 2005 c 424 s 12 are each amended to
16 read as follows:

17 (1) Moneys received by the state of Washington in accordance with
18 the settlement of the state's legal action against tobacco product
19 manufacturers, exclusive of costs and attorneys' fees, shall be
20 deposited in the tobacco settlement account created in this section
21 except as these moneys are sold or assigned under chapter 43.340 RCW.

22 (2) The tobacco settlement account is created in the state
23 treasury. Moneys in the tobacco settlement account may only be
24 transferred to the health services account for the purposes set forth
25 in RCW 43.72.900, and to the tobacco prevention and control account for
26 purposes set forth in this section. The legislature shall transfer
27 amounts received as strategic contribution payments as defined in RCW
28 43.350.010 to the life sciences discovery fund created in RCW
29 43.350.070. During the 2009-2011 fiscal biennium, the legislature may
30 transfer less than the entire strategic contribution payments.

31 (3) The tobacco prevention and control account is created in the
32 state treasury. The source of revenue for this account is moneys
33 transferred to the account from the tobacco settlement account,
34 investment earnings, donations to the account, and other revenues as
35 directed by law. Expenditures from the account are subject to
36 appropriation. During the 2009-2011 fiscal biennium, the legislature

1 may transfer from the tobacco prevention and control account to the
2 state general fund such amounts as represent the excess fund balance of
3 the account.

4 **Sec. 938.** RCW 43.83B.360 and 1991 sp.s. c 13 s 33 are each amended
5 to read as follows:

6 The proceeds from the sale of bonds authorized by RCW 43.83B.300,
7 and 43.83B.355 through 43.83B.375 shall be deposited in the state
8 emergency water projects revolving account, hereby created in the state
9 treasury, and shall be used exclusively for the purposes specified in
10 RCW 43.83B.300, and 43.83B.355 through 43.83B.375 and for the payment
11 of expenses incurred in the issuance and sale of such bonds. During
12 the 2009-2011 fiscal biennium, the legislature may transfer from the
13 state emergency water projects revolving account to the state general
14 fund such amounts as reflect the excess fund balance of the account.

15 **Sec. 939.** RCW 43.135.045 and 2007 c 520 s 6035 and 2007 c 484 s 5
16 are each reenacted and amended to read as follows:

17 (1) The student achievement fund is hereby created in the state
18 treasury.

19 (2) The education construction fund is hereby created in the state
20 treasury.

21 (a) Funds may be appropriated from the education construction fund
22 exclusively for common school construction or higher education
23 construction. During the 2007-2009 fiscal biennium, funds may also be
24 used for higher education facilities preservation and maintenance.
25 During the 2009-2011 fiscal biennium, the legislature may transfer from
26 the education construction fund to the state general fund such amounts
27 as reflect the excess fund balance of the fund.

28 (b) Funds may be appropriated for any other purpose only if
29 approved by a two-thirds vote of each house of the legislature and if
30 approved by a vote of the people at the next general election. An
31 appropriation approved by the people under this subsection shall result
32 in an adjustment to the state expenditure limit only for the fiscal
33 period for which the appropriation is made and shall not affect any
34 subsequent fiscal period.

35 (3) Funds from the student achievement fund shall be appropriated
36 to the superintendent of public instruction strictly for distribution

1 to school districts to meet the provisions set out in the student
2 achievement act. Allocations shall be made on an equal per full-time
3 equivalent student basis to each school district.

4 **Sec. 940.** RCW 43.155.050 and 2008 c 328 s 6002 are each amended to
5 read as follows:

6 (1) The public works assistance account is hereby established in
7 the state treasury. Money may be placed in the public works assistance
8 account from the proceeds of bonds when authorized by the legislature
9 or from any other lawful source. Money in the public works assistance
10 account shall be used to make loans and to give financial guarantees to
11 local governments for public works projects. Moneys in the account may
12 also be appropriated to provide for state match requirements under
13 federal law for projects and activities conducted and financed by the
14 board under the drinking water assistance account. Not more than
15 fifteen percent of the biennial capital budget appropriation to the
16 public works board from this account may be expended or obligated for
17 preconstruction loans, emergency loans, or loans for capital facility
18 planning under this chapter; of this amount, not more than ten percent
19 of the biennial capital budget appropriation may be expended for
20 emergency loans and not more than one percent of the biennial capital
21 budget appropriation may be expended for capital facility planning
22 loans. (~~For the 2007-2009 biennium, moneys in the account may be used~~
23 ~~for grants for projects identified in section 138, chapter 488, Laws of~~
24 ~~2005, for the infrastructure investment system implementation plan~~
25 ~~identified in section 1022, chapter 328, Laws of 2008; for the interest~~
26 ~~rate buy-down pilot program identified in section 1004, chapter 328,~~
27 ~~Laws of 2008; and for the housing assistance, weatherization, and~~
28 ~~affordable housing program identified in section 1005, chapter 328,~~
29 ~~Laws of 2008.)) During the 2009-2011 fiscal biennium, the legislature
30 may transfer from the public works assistance account to the general
31 fund and the city-county assistance account such amounts as reflect the
32 excess fund balance of the account.~~

33 (2) The job development fund is hereby established in the state
34 treasury. (~~Up to fifty million dollars each biennium from the public~~
35 ~~works assistance account may be transferred into the job development~~
36 ~~fund. Money in the job development fund may be used solely for job~~
37 ~~development fund program grants, administrative expenses related to the~~

1 ~~administration of the job development fund program created in RCW~~
2 ~~43.160.230, and for the report prepared by the joint legislative audit~~
3 ~~and review committee pursuant to RCW 44.28.801(2).))~~ Moneys in the job
4 development fund may be spent only after appropriation. ((The board
5 shall prepare a prioritized list of proposed projects of up to fifty
6 million dollars as part of the department's 2007-09 biennial budget
7 request. The board may provide an additional alternate job development
8 fund project list of up to ten million dollars. The legislature may
9 remove projects from the list recommended by the board. The
10 legislature may not change the prioritization of projects recommended
11 for funding by the board, but may add projects from the alternate list
12 in order of priority, as long as the total funding does not exceed
13 fifty million dollars.))

14 **Sec. 941.** RCW 43.215.125 and 2008 c 164 s 2 are each amended to
15 read as follows:

16 (1) ~~((Within existing funds))~~ For the 2009-2011 fiscal biennium, to
17 the extent funds are appropriated for this purpose, the department
18 shall develop a proposal for implementing a statewide Washington head
19 start program. To the extent possible while maintaining quality
20 standards, the proposal should align the state early childhood
21 education and assistance program with federal head start program
22 eligibility criteria, guidelines, performance standards, and
23 methods/processes for ensuring continuous improvement in program
24 quality. In this proposal, the department shall make recommendations
25 that:

26 (a) Identify federal head start program guidelines, performance
27 measures and standards, or other requirements for which state
28 flexibility would be recommended. This shall include an analysis of
29 how state flexibility may impact outcomes for children and how that
30 flexibility might deviate from outcomes associated with the federal
31 standards. Areas to be examined must include, but are not limited to,
32 transportation requirements, service hour configurations, delivery
33 methods, and impact on rural programs;

34 (b) Provide comparative data regarding child performance,
35 readiness, and educational outcomes for Washington's existing head
36 start and early childhood education and assistance programs;

1 (c) Determine the alignment between head start standards and the
2 recommendations of Washington learns;

3 (d) Identify any change in the state early childhood education and
4 assistance program laws that would be required to implement the
5 Washington head start proposal;

6 (e) Identify additional resources needed to meet federal guidelines
7 and standards. Areas to be examined must include, but are not limited
8 to: Per-child funding levels, professional development and training
9 needs, facilities needs, and technical assistance;

10 (f) Identify state early childhood education and assistance
11 programs that do and do not offer full-day, full-year services to
12 children, and what transition steps would be needed for these programs
13 to operate in the same manner as federal head start programs;

14 (g) Provide steps for phasing-in the Washington head start
15 proposal;

16 (h) Include a timeline, strategy, and funding needs to implement a
17 statewide, state-supported early head start program as a component of
18 the Washington head start proposal; and

19 (i) Detail the process the department would take with the regional
20 office of federal head start in identifying any exceptions or waivers
21 needed to provide flexibility and maintain high quality standards.

22 (2) In developing its recommendations for this proposal, the
23 department shall seek, where appropriate and available, training or
24 technical assistance from the appropriate regional office of federal
25 head start in order to maximize nonstate resources that might be
26 available for the consultative work and research involved with
27 developing this proposal. The department also shall consult with and
28 solicit input from:

29 (a) State early childhood education and assistance program
30 providers on Indian reservations and across the state, including
31 providers who operate solely state-supported programs;

32 (b) Tribal governments operating head start programs and early head
33 start programs in the state to ensure that the needs of Indian and
34 Alaskan native children and their families are incorporated into the
35 recommendations of the proposal, especially as they pertain to
36 standards or guidelines around language acquisition, school readiness,
37 availability and need for services among Indian and Alaskan native
38 children and their families, and curriculum development; and

1 (c) Providers operating migrant and seasonal head start programs in
2 the state in order to address the needs of the children of migrant and
3 seasonal farmworker families.

4 (3) The department shall make recommendations on how it would
5 periodically review the standards and guidelines within the Washington
6 head start program, including incorporation of the latest research and
7 information on early childhood development as well as any new
8 innovations that may further improve outcomes to low-income children
9 and their families.

10 (4) The department's recommendations on a Washington head start
11 proposal shall include how the proposal aligns with the department's
12 current statutory duties. The recommendations shall also include any
13 other options that may improve the quality of state-supported early
14 learning programs.

15 (5) The department shall deliver its report to the governor and
16 legislature by December 1, 2009.

17 **Sec. 942.** RCW 43.325.040 and 2007 c 348 s 305 are each amended to
18 read as follows:

19 (1) The energy freedom account is created in the state treasury.
20 All receipts from appropriations made to the account and any loan
21 payments of principal and interest derived from loans made under this
22 chapter must be deposited into the account. Moneys in the account may
23 be spent only after appropriation. Expenditures from the account may
24 be used only for assistance for projects consistent with this chapter
25 or otherwise authorized by the legislature.

26 (2) The green energy incentive account is created in the state
27 treasury as a subaccount of the energy freedom account. All receipts
28 from appropriations made to the green energy incentive account shall be
29 deposited into the account, and may be spent only after appropriation.
30 Expenditures from the account may be used only for:

31 (a) Refueling projects awarded under this chapter;

32 (b) Pilot projects for plug-in hybrids, including grants provided
33 for the electrification program set forth in RCW 43.325.110; and

34 (c) Demonstration projects developed with state universities as
35 defined in RCW 28B.10.016 and local governments that result in the
36 design and building of a hydrogen vehicle fueling station.

1 (3) Any state agency receiving funding from the energy freedom
2 account is prohibited from retaining greater than three percent of any
3 funding provided from the energy freedom account for administrative
4 overhead or other deductions not directly associated with conducting
5 the research, projects, or other end products that the funding is
6 designed to produce unless this provision is waived in writing by the
7 director.

8 (4) Any university, institute, or other entity that is not a state
9 agency receiving funding from the energy freedom account is prohibited
10 from retaining greater than fifteen percent of any funding provided
11 from the energy freedom account for administrative overhead or other
12 deductions not directly associated with conducting the research,
13 projects, or other end products that the funding is designed to
14 produce.

15 (5) Subsections (2) through (4) of this section do not apply to
16 assistance awarded for projects under RCW 43.325.020(3).

17 (6) During the 2009-2011 fiscal biennium, the legislature may
18 transfer from the energy freedom account to the state general fund such
19 amounts as reflect the excess fund balance of the account.

20 **Sec. 943.** RCW 43.330.250 and 2008 c 329 s 914 are each amended to
21 read as follows:

22 (1) The economic development strategic reserve account is created
23 in the state treasury to be used only for the purposes of this section.

24 (2) Only the governor, with the recommendation of the director of
25 the department of community, trade, and economic development and the
26 economic development commission, may authorize expenditures from the
27 account.

28 (3) Expenditures from the account shall be made in an amount
29 sufficient to fund a minimum of one staff position for the economic
30 development commission and to cover any other operational costs of the
31 commission.

32 (4) During the ((2007-2009)) 2009-2011 fiscal biennium, moneys in
33 the account may also be transferred into the state general fund.

34 (5) Expenditures from the account may be made to prevent closure of
35 a business or facility, to prevent relocation of a business or facility
36 in the state to a location outside the state, or to recruit a business
37 or facility to the state. Expenditures may be authorized for:

- 1 (a) Workforce development;
- 2 (b) Public infrastructure needed to support or sustain the
3 operations of the business or facility; and
- 4 (c) Other lawfully provided assistance, including, but not limited
5 to, technical assistance, environmental analysis, relocation
6 assistance, and planning assistance. Funding may be provided for such
7 assistance only when it is in the public interest and may only be
8 provided under a contractual arrangement ensuring that the state will
9 receive appropriate consideration, such as an assurance of job creation
10 or retention.
- 11 (6) The funds shall not be expended from the account unless:
- 12 (a) The circumstances are such that time does not permit the
13 director of the department of community, trade, and economic
14 development or the business or facility to secure funding from other
15 state sources;
- 16 (b) The business or facility produces or will produce significant
17 long-term economic benefits to the state, a region of the state, or a
18 particular community in the state;
- 19 (c) The business or facility does not require continuing state
20 support;
- 21 (d) The expenditure will result in new jobs, job retention, or
22 higher incomes for citizens of the state;
- 23 (e) The expenditure will not supplant private investment; and
- 24 (f) The expenditure is accompanied by private investment.
- 25 (7) No more than three million dollars per year may be expended
26 from the account for the purpose of assisting an individual business or
27 facility pursuant to the authority specified in this section.
- 28 (8) If the account balance in the strategic reserve account exceeds
29 fifteen million dollars at any time, the amount in excess of fifteen
30 million dollars shall be transferred to the education construction
31 account.

32 **Sec. 944.** RCW 46.09.170 and 2007 c 522 s 953 and 2007 c 241 s 16
33 are each reenacted and amended to read as follows:

- 34 (1) From time to time, but at least once each year, the state
35 treasurer shall refund from the motor vehicle fund one percent of the
36 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
37 based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle

1 fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per
2 gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007;
3 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,
4 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor
5 vehicle fuel from July 1, 2009, through June 30, 2011; and (e) twenty-
6 three cents per gallon of motor vehicle fuel beginning July 1, 2011,
7 and thereafter, less proper deductions for refunds and costs of
8 collection as provided in RCW 46.68.090.

9 (2) The treasurer shall place these funds in the general fund as
10 follows:

11 (a) Thirty-six percent shall be credited to the ORV and nonhighway
12 vehicle account and administered by the department of natural resources
13 solely for acquisition, planning, development, maintenance, and
14 management of ORV, nonmotorized, and nonhighway road recreation
15 facilities, and information programs and maintenance of nonhighway
16 roads;

17 (b) Three and one-half percent shall be credited to the ORV and
18 nonhighway vehicle account and administered by the department of fish
19 and wildlife solely for the acquisition, planning, development,
20 maintenance, and management of ORV, nonmotorized, and nonhighway road
21 recreation facilities and the maintenance of nonhighway roads;

22 (c) Two percent shall be credited to the ORV and nonhighway vehicle
23 account and administered by the parks and recreation commission solely
24 for the acquisition, planning, development, maintenance, and management
25 of ORV, nonmotorized, and nonhighway road recreation facilities; and

26 (d) Fifty-eight and one-half percent shall be credited to the
27 nonhighway and off-road vehicle activities program account to be
28 administered by the board for planning, acquisition, development,
29 maintenance, and management of ORV, nonmotorized, and nonhighway road
30 recreation facilities and for education, information, and law
31 enforcement programs. The funds under this subsection shall be
32 expended in accordance with the following limitations:

33 (i) Not more than thirty percent may be expended for education,
34 information, and law enforcement programs under this chapter;

35 (ii) Not less than seventy percent may be expended for ORV,
36 nonmotorized, and nonhighway road recreation facilities. Except as
37 provided in (d)(iii) of this subsection, of this amount:

1 (A) Not less than thirty percent, together with the funds the board
2 receives under RCW 46.09.110, may be expended for ORV recreation
3 facilities;

4 (B) Not less than thirty percent may be expended for nonmotorized
5 recreation facilities. Funds expended under this subsection
6 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation
7 facilities funds; and

8 (C) Not less than thirty percent may be expended for nonhighway
9 road recreation facilities;

10 (iii) The board may waive the minimum percentage cited in (d)(ii)
11 of this subsection due to insufficient requests for funds or projects
12 that score low in the board's project evaluation. Funds remaining
13 after such a waiver must be allocated in accordance with board policy.

14 (3) On a yearly basis an agency may not, except as provided in RCW
15 46.09.110, expend more than ten percent of the funds it receives under
16 this chapter for general administration expenses incurred in carrying
17 out this chapter.

18 (4) During the ~~((2007-09))~~ 2009-2011 fiscal biennium, the
19 legislature may appropriate such amounts as reflect the excess fund
20 balance in the NOVA account to the department of natural resources
21 ~~((for planning and designing))~~ to install consistent off-road vehicle
22 signage at department-managed recreation sites, and ~~((for planning))~~ to
23 implement the recreation opportunities on department-managed lands in
24 the Reiter block and Ahtanum state forest, and to the state parks and
25 recreation commission for maintenance and operation of parks and to
26 improve accessibility for boaters and off-road vehicle users. This
27 appropriation is not required to follow the specific distribution
28 specified in subsection (2) of this section.

29 **Sec. 945.** RCW 46.66.080 and 2007 c 199 s 27 are each amended to
30 read as follows:

31 (1) The Washington auto theft prevention authority account is
32 created in the state treasury, subject to appropriation. All revenues
33 from the traffic infraction surcharge in RCW 46.63.110(7)(b) and all
34 receipts from gifts, grants, bequests, devises, or other funds from
35 public and private sources to support the activities of the auto theft
36 prevention authority must be deposited into the account. Expenditures
37 from the account may be used only for activities relating to motor

1 vehicle theft, including education, prevention, law enforcement,
2 investigation, prosecution, and confinement. During the 2009-2011
3 fiscal biennium, the legislature may appropriate moneys from the
4 Washington auto theft prevention authority account for criminal justice
5 purposes and community building.

6 (2) The authority shall allocate moneys appropriated from the
7 account to public agencies for the purpose of establishing,
8 maintaining, and supporting programs that are designed to prevent motor
9 vehicle theft, including:

10 (a) Financial support to prosecution agencies to increase the
11 effectiveness of motor vehicle theft prosecution;

12 (b) Financial support to a unit of local government or a team
13 consisting of units of local governments to increase the effectiveness
14 of motor vehicle theft enforcement;

15 (c) Financial support for the procurement of equipment and
16 technologies for use by law enforcement agencies for the purpose of
17 enforcing motor vehicle theft laws; and

18 (d) Financial support for programs that are designed to educate and
19 assist the public in the prevention of motor vehicle theft.

20 (3) The costs of administration shall not exceed ten percent of the
21 moneys in the account in any one year so that the greatest possible
22 portion of the moneys available to the authority is expended on
23 combating motor vehicle theft.

24 (4) Prior to awarding any moneys from the Washington auto theft
25 prevention authority account for motor vehicle theft enforcement, the
26 auto theft prevention authority must verify that the financial award
27 includes sufficient funding to cover proposed activities, which
28 include, but are not limited to: (a) State, municipal, and county
29 offender and juvenile confinement costs; (b) administration costs; (c)
30 law enforcement costs; (d) prosecutor costs; and (e) court costs, with
31 a priority being given to ensuring that sufficient funding is available
32 to cover state, municipal, and county offender and juvenile confinement
33 costs.

34 (5) Moneys expended from the Washington auto theft prevention
35 authority account under subsection (2) of this section shall be used to
36 supplement, not supplant, other moneys that are available for motor
37 vehicle theft prevention.

1 (6) Grants provided under subsection (2) of this section constitute
2 reimbursement for purposes of RCW 43.135.060(1).

3 **Sec. 946.** RCW 50.16.010 and 2009 c 4 s 906 are each amended to
4 read as follows:

5 (1) There shall be maintained as special funds, separate and apart
6 from all public moneys or funds of this state an unemployment
7 compensation fund, an administrative contingency fund, and a federal
8 interest payment fund, which shall be administered by the commissioner
9 exclusively for the purposes of this title, and to which RCW 43.01.050
10 shall not be applicable.

11 (2)(a) The unemployment compensation fund shall consist of:

12 (i) All contributions collected under RCW 50.24.010 and payments in
13 lieu of contributions collected pursuant to the provisions of this
14 title;

15 (ii) Any property or securities acquired through the use of moneys
16 belonging to the fund;

17 (iii) All earnings of such property or securities;

18 (iv) Any moneys received from the federal unemployment account in
19 the unemployment trust fund in accordance with Title XII of the social
20 security act, as amended;

21 (v) All money recovered on official bonds for losses sustained by
22 the fund;

23 (vi) All money credited to this state's account in the unemployment
24 trust fund pursuant to section 903 of the social security act, as
25 amended;

26 (vii) All money received from the federal government as
27 reimbursement pursuant to section 204 of the federal-state extended
28 compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304); and

29 (viii) All moneys received for the fund from any other source.

30 (b) All moneys in the unemployment compensation fund shall be
31 commingled and undivided.

32 (3)(a) Except as provided in (b) of this subsection, the
33 administrative contingency fund shall consist of:

34 (i) All interest on delinquent contributions collected pursuant to
35 this title;

36 (ii) All fines and penalties collected pursuant to the provisions
37 of this title;

1 (iii) All sums recovered on official bonds for losses sustained by
2 the fund; and

3 (iv) Revenue received under RCW 50.24.014.

4 (b) All fees, fines, forfeitures, and penalties collected or
5 assessed by a district court because of the violation of this title or
6 rules adopted under this title shall be remitted as provided in chapter
7 3.62 RCW.

8 (c) (~~During the 2007-2009 biennium~~) Except as provided in (d) of
9 this subsection, moneys available in the administrative contingency
10 fund, other than money in the special account created under RCW
11 50.24.014(~~(1)(a)~~), shall be expended (~~as appropriated by the~~
12 ~~legislature for the (i) cost of the job skills or worker retraining~~
13 ~~programs at the community and technical colleges and administrative~~
14 ~~costs at the state board for community and technical colleges, and (ii)~~
15 ~~reemployment services such as business and project development~~
16 ~~assistance, local economic development capacity building, and local~~
17 ~~economic development financial assistance at the department of~~
18 ~~community, trade, and economic development, and the remaining~~
19 ~~appropriation~~) upon the direction of the commissioner, with the
20 approval of the governor, whenever it appears to him or her that such
21 expenditure is necessary solely for:

22 (i) The proper administration of this title and that insufficient
23 federal funds are available for the specific purpose to which such
24 expenditure is to be made, provided, the moneys are not substituted for
25 appropriations from federal funds which, in the absence of such moneys,
26 would be made available.

27 (ii) The proper administration of this title for which purpose
28 appropriations from federal funds have been requested but not yet
29 received, provided, the administrative contingency fund will be
30 reimbursed upon receipt of the requested federal appropriation.

31 (iii) The proper administration of this title for which compliance
32 and audit issues have been identified that establish federal claims
33 requiring the expenditure of state resources in resolution. Claims
34 must be resolved in the following priority: First priority is to
35 provide services to eligible participants within the state; second
36 priority is to provide substitute services or program support; and last
37 priority is the direct payment of funds to the federal government.

1 (d)(i) During the 2007-2009 fiscal biennium, moneys available in
2 the administrative contingency fund, other than money in the special
3 account created under RCW 50.24.014(1)(a), shall be expended as
4 appropriated by the legislature for: (A) The cost of the job skills or
5 worker retraining programs at the community and technical colleges and
6 administrative costs at the state board for community and technical
7 colleges; and (B) reemployment services such as business and project
8 development assistance, local economic development capacity building,
9 and local economic development financial assistance at the department
10 of community, trade, and economic development. The remaining
11 appropriation may be expended as specified in (c) of this subsection.

12 (ii) During the 2009-2011 fiscal biennium, moneys available in the
13 administrative contingency fund, other than money in the special
14 account created under RCW 50.24.014(1)(a), shall be expended by the
15 department of social and health services as appropriated by the
16 legislature for employment and training services and programs in the
17 WorkFirst program, and for the administrative costs of state agencies
18 participating in the WorkFirst program. The remaining appropriation
19 may be expended as specified in (c) of this subsection.

20 (4) Money in the special account created under RCW 50.24.014(1)(a)
21 may only be expended, after appropriation, for the purposes specified
22 in this section and RCW 50.62.010, 50.62.020, 50.62.030, 50.24.014,
23 50.44.053, and 50.22.010.

24 **Sec. 947.** RCW 66.08.170 and 2002 c 371 s 917 are each amended to
25 read as follows:

26 There shall be a fund, known as the "liquor revolving fund", which
27 shall consist of all license fees, permit fees, penalties, forfeitures,
28 and all other moneys, income, or revenue received by the board. The
29 state treasurer shall be custodian of the fund. All moneys received by
30 the board or any employee thereof, except for change funds and an
31 amount of petty cash as fixed by the board within the authority of law
32 shall be deposited each day in a depository approved by the state
33 treasurer and transferred to the state treasurer to be credited to the
34 liquor revolving fund. During the ~~((2001-2003))~~ 2009-2011 fiscal
35 biennium, the legislature may transfer funds from the liquor revolving
36 account to the state general fund ~~((such amounts as reflect the excess~~
37 ~~fund balance of the fund and reductions made by the 2002 supplemental~~

1 ~~appropriations act for administrative efficiencies and savings)) and~~
2 may direct an additional amount of liquor profits to be distributed to
3 local governments. Neither the transfer of funds nor the additional
4 distribution of liquor profits to local governments during the 2009-
5 2011 fiscal biennium may reduce the excess fund distributions that
6 otherwise would occur under RCW 66.08.190. Disbursements from the
7 revolving fund shall be on authorization of the board or a duly
8 authorized representative thereof. In order to maintain an effective
9 expenditure and revenue control the liquor revolving fund shall be
10 subject in all respects to chapter 43.88 RCW but no appropriation shall
11 be required to permit expenditures and payment of obligations from such
12 fund.

13 **Sec. 948.** RCW 67.40.040 and 2008 c 329 s 917 and 2008 c 328 s 6011
14 are each reenacted and amended to read as follows:

15 (1) The proceeds from the sale of the bonds authorized in RCW
16 67.40.030, proceeds of the taxes imposed under RCW 67.40.090 and
17 67.40.130, and all other moneys received by the state convention and
18 trade center from any public or private source which are intended to
19 fund the acquisition, design, construction, expansion, exterior cleanup
20 and repair of the Eagles building, conversion of various retail and
21 other space to meeting rooms, purchase of the land and building known
22 as the McKay Parcel, development of low-income housing, or renovation
23 of the center, and those expenditures authorized under RCW 67.40.170
24 shall be deposited in the state convention and trade center account
25 hereby created in the state treasury and in such subaccounts as are
26 deemed appropriate by the directors of the corporation.

27 (2) Moneys in the account, including unanticipated revenues under
28 RCW 43.79.270, shall be used exclusively for the following purposes in
29 the following priority:

30 (a) For reimbursement of the state general fund under RCW
31 67.40.060;

32 (b) After appropriation by statute:

33 (i) For payment of expenses incurred in the issuance and sale of
34 the bonds issued under RCW 67.40.030;

35 (ii) For expenditures authorized in RCW 67.40.170, and during the
36 ~~((2007-2009))~~ 2009-2011 fiscal biennium, the legislature may transfer
37 from the state convention and trade center account ~~((to the Washington~~

1 ~~housing trust account such amounts as reflect the excess fund balance~~
2 ~~in the account; and during the 2007-2009 biennium, the legislature may~~
3 ~~transfer from the state convention and trade center account))~~ to the
4 general fund such amounts as reflect the excess fund balance in the
5 account;

6 (iii) For acquisition, design, and construction of the state
7 convention and trade center;

8 (iv) For debt service for the acquisition, design, and construction
9 and retrofit of the museum of history and industry museum property or
10 other future expansions of the convention center as approved by the
11 legislature; and

12 (v) For reimbursement of any expenditures from the state general
13 fund in support of the state convention and trade center; and

14 (c) For transfer to the state convention and trade center
15 operations account.

16 (3) The corporation shall identify with specificity those
17 facilities of the state convention and trade center that are to be
18 financed with proceeds of general obligation bonds, the interest on
19 which is intended to be excluded from gross income for federal income
20 tax purposes. The corporation shall not permit the extent or manner of
21 private business use of those bond-financed facilities to be
22 inconsistent with treatment of such bonds as governmental bonds under
23 applicable provisions of the Internal Revenue Code of 1986, as amended.

24 (4) In order to ensure consistent treatment of bonds authorized
25 under RCW 67.40.030 with applicable provisions of the Internal Revenue
26 Code of 1986, as amended, and notwithstanding RCW 43.84.092, investment
27 earnings on bond proceeds deposited in the state convention and trade
28 center account in the state treasury shall be retained in the account,
29 and shall be expended by the corporation for the purposes authorized
30 under chapter 386, Laws of 1995 and in a manner consistent with
31 applicable provisions of the Internal Revenue Code of 1986, as amended.

32 (5) Subject to the conditions in subsection (6) of this section,
33 starting in fiscal year 2008, and except for the 2009-2011 fiscal
34 biennium in which no transfers shall be made, the state treasurer shall
35 transfer:

36 (a) The sum of four million dollars, or as much as may be available
37 pursuant to conditions set forth in this section, from the state

1 convention and trade center account to the tourism enterprise account,
2 with the maximum transfer being four million dollars per fiscal year;
3 and

4 (b) The sum of five hundred thousand dollars, or as much as may be
5 available pursuant to conditions set forth in this section, from the
6 state convention and trade center account to the tourism development
7 and promotion account, with the maximum transfer being five hundred
8 thousand dollars per fiscal year.

9 (6)(a) Funds required for debt service payments and reserves for
10 bonds issued under RCW 67.40.030; for debt service authorized under RCW
11 67.40.170; and for the issuance and sale of financial instruments
12 associated with the acquisition, design, construction, and retrofit of
13 the museum of history and industry museum property or for other future
14 expansions of the center, as approved by the legislature, shall be
15 maintained within the state convention and trade center account.

16 (b) Except for during the 2009-2011 fiscal biennium, during which
17 no reserve shall be retained, no less than six million one hundred
18 fifty thousand dollars per year shall be retained in the state
19 convention and trade center account for funding capital maintenance as
20 required by the center's long-term capital plan, facility enhancements,
21 unanticipated replacements, and operating reserves for the convention
22 center operation. This amount shall be escalated annually as follows:

23 (i) Four percent for annual inflation for capital maintenance,
24 repairs, and replacement;

25 (ii) An additional two percent for enhancement to the facility; and

26 (iii) An additional three percent for growth in expenditure due to
27 aging of the facility and the need to maintain an operating reserve.

28 (c) Sufficient funds shall be reserved within the state convention
29 and trade center account to fund operating appropriations for the
30 annual operation of the convention center.

31 **Sec. 949.** RCW 67.70.190 and 2005 c 427 s 2 are each amended to
32 read as follows:

33 Unclaimed prizes shall be retained in the state lottery account for
34 the person entitled thereto for one hundred eighty days after the
35 drawing in which the prize is won, or after the official end of the
36 game for instant prizes. If no claim is made for the prize within this
37 time, all rights to the prize shall be extinguished, and the prize

1 shall be retained in the state lottery fund for further use as prizes,
2 except that one-third of all unclaimed prize money shall be deposited
3 in the economic development strategic reserve account created in RCW
4 43.330.250.

5 On July 1, 2009, June 30, 2010, and June 30, 2011, all unclaimed
6 prize money retained in the state lottery fund in excess of three
7 million dollars, excluding amounts distributed to the economic
8 development strategic reserve account, shall be transferred into the
9 state general fund.

10 **Sec. 950.** RCW 70.93.180 and 2005 c 518 s 939 are each amended to
11 read as follows:

12 (1) There is hereby created an account within the state treasury to
13 be known as the "waste reduction, recycling, and litter control
14 account". Moneys in the account may be spent only after appropriation.
15 Expenditures from the waste reduction, recycling, and litter control
16 account shall be used as follows:

17 (a) Fifty percent to the department of ecology, for use by the
18 departments of ecology, natural resources, revenue, transportation, and
19 corrections, and the parks and recreation commission, for use in litter
20 collection programs, to be distributed under RCW 70.93.220. The amount
21 to the department of ecology shall also be used for a central
22 coordination function for litter control efforts statewide, for the
23 biennial litter survey under RCW 70.93.200(8), and for statewide public
24 awareness programs under RCW 70.93.200(7). The amount to the
25 department shall also be used to defray the costs of administering the
26 funding, coordination, and oversight of local government programs for
27 waste reduction, litter control, and recycling, so that local
28 governments can apply one hundred percent of their funding to achieving
29 program goals. The amount to the department of revenue shall be used
30 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

31 (b) Twenty percent to the department for local government funding
32 programs for waste reduction, litter control, and recycling activities
33 by cities and counties under RCW 70.93.250, to be administered by the
34 department of ecology; and

35 (c) Thirty percent to the department of ecology for waste reduction
36 and recycling efforts.

1 (2) All taxes imposed in RCW 82.19.010 and fines and bail
2 forfeitures collected or received pursuant to this chapter shall be
3 deposited in the waste reduction, recycling, and litter control account
4 and used for the programs under subsection (1) of this section.

5 (3) Not less than five percent and no more than ten percent of the
6 amount appropriated into the waste reduction, recycling, and litter
7 control account every biennium shall be reserved for capital needs,
8 including the purchase of vehicles for transporting crews and for
9 collecting litter and solid waste. Capital funds shall be distributed
10 among state agencies and local governments according to the same
11 criteria provided in RCW 70.93.220 for the remainder of the funds, so
12 that the most effective waste reduction, litter control, and recycling
13 programs receive the most funding. The intent of this subsection is to
14 provide funds for the purchase of equipment that will enable the
15 department to account for the greatest return on investment in terms of
16 reaching a zero litter goal.

17 (4) During the ((2005-2007)) 2009-2011 fiscal biennium, the
18 legislature may transfer from the waste reduction, recycling, and
19 litter control account to the state general fund such amounts as
20 reflect the excess fund balance of the account. For purposes of
21 subsection (1) of this section, this transfer shall be treated as an
22 expenditure for litter collection.

23 **Sec. 951.** RCW 70.105D.070 and 2008 c 329 s 921, 2008 c 329 s 920,
24 2008 c 329 s 919, and 2008 c 328 s 6009 are each reenacted and amended
25 to read as follows:

26 (1) The state toxics control account and the local toxics control
27 account are hereby created in the state treasury.

28 (2) The following moneys shall be deposited into the state toxics
29 control account: (a) Those revenues which are raised by the tax
30 imposed under RCW 82.21.030 and which are attributable to that portion
31 of the rate equal to thirty-three one-hundredths of one percent; (b)
32 the costs of remedial actions recovered under this chapter or chapter
33 70.105A RCW; (c) penalties collected or recovered under this chapter;
34 and (d) any other money appropriated or transferred to the account by
35 the legislature. Moneys in the account may be used only to carry out
36 the purposes of this chapter, including but not limited to the
37 following activities:

1 (i) The state's responsibility for hazardous waste planning,
2 management, regulation, enforcement, technical assistance, and public
3 education required under chapter 70.105 RCW;

4 (ii) The state's responsibility for solid waste planning,
5 management, regulation, enforcement, technical assistance, and public
6 education required under chapter 70.95 RCW;

7 (iii) The hazardous waste cleanup program required under this
8 chapter;

9 (iv) State matching funds required under the federal cleanup law;

10 (v) Financial assistance for local programs in accordance with
11 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

12 (vi) State government programs for the safe reduction, recycling,
13 or disposal of hazardous wastes from households, small businesses, and
14 agriculture;

15 (vii) Hazardous materials emergency response training;

16 (viii) Water and environmental health protection and monitoring
17 programs;

18 (ix) Programs authorized under chapter 70.146 RCW;

19 (x) A public participation program, including regional citizen
20 advisory committees;

21 (xi) Public funding to assist potentially liable persons to pay for
22 the costs of remedial action in compliance with cleanup standards under
23 RCW 70.105D.030(2)(e) but only when the amount and terms of such
24 funding are established under a settlement agreement under RCW
25 70.105D.040(4) and when the director has found that the funding will
26 achieve both (A) a substantially more expeditious or enhanced cleanup
27 than would otherwise occur, and (B) the prevention or mitigation of
28 unfair economic hardship; ~~((and))~~

29 (xii) Development and demonstration of alternative management
30 technologies designed to carry out the hazardous waste management
31 priorities of RCW 70.105.150; and

32 (xiii) During the 2009-2011 fiscal biennium, shoreline update
33 technical assistance.

34 (3) The following moneys shall be deposited into the local toxics
35 control account: Those revenues which are raised by the tax imposed
36 under RCW 82.21.030 and which are attributable to that portion of the
37 rate equal to thirty-seven one-hundredths of one percent.

1 (a) Moneys deposited in the local toxics control account shall be
2 used by the department for grants or loans to local governments for the
3 following purposes in descending order of priority:

4 (i) Remedial actions;

5 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

6 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
7 70.95I, and 70.105 RCW;

8 (iv) Funds for a program to assist in the assessment and cleanup of
9 sites of methamphetamine production, but not to be used for the initial
10 containment of such sites, consistent with the responsibilities and
11 intent of RCW 69.50.511; and

12 (v) Cleanup and disposal of hazardous substances from abandoned or
13 derelict vessels, defined for the purposes of this section as vessels
14 that have little or no value and either have no identified owner or
15 have an identified owner lacking financial resources to clean up and
16 dispose of the vessel, that pose a threat to human health or the
17 environment.

18 (b) Funds for plans and programs shall be allocated consistent with
19 the priorities and matching requirements established in chapters
20 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
21 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
22 project that is referenced in the action agenda developed by the Puget
23 Sound partnership under RCW 90.71.310, shall, except as conditioned by
24 RCW 70.105D.120, receive priority for any available funding for any
25 grant or funding programs or sources that use a competitive bidding
26 process. During the 2007-2009 fiscal biennium, moneys in the account
27 may also be used for grants to local governments to retrofit public
28 sector diesel equipment and for storm water planning and implementation
29 activities.

30 ~~(c) ((Funds may also be appropriated to the department of health to
31 implement programs to reduce testing requirements under the federal
32 safe drinking water act for public water systems. The department of
33 health shall reimburse the account from fees assessed under RCW
34 70.119A.115 by June 30, 1995.~~

35 (d)) To expedite cleanups throughout the state, the department
36 shall partner with local communities and liable parties for cleanups.
37 The department is authorized to use the following additional strategies
38 in order to ensure a healthful environment for future generations:

1 (i) The director may alter grant-matching requirements to create
2 incentives for local governments to expedite cleanups when one of the
3 following conditions exists:

4 (A) Funding would prevent or mitigate unfair economic hardship
5 imposed by the clean-up liability;

6 (B) Funding would create new substantial economic development,
7 public recreational, or habitat restoration opportunities that would
8 not otherwise occur; or

9 (C) Funding would create an opportunity for acquisition and
10 redevelopment of vacant, orphaned, or abandoned property under RCW
11 70.105D.040(5) that would not otherwise occur;

12 (ii) The use of outside contracts to conduct necessary studies;

13 (iii) The purchase of remedial action cost-cap insurance, when
14 necessary to expedite multiparty clean-up efforts.

15 (4) Except for unanticipated receipts under RCW 43.79.260 through
16 43.79.282, moneys in the state and local toxics control accounts may be
17 spent only after appropriation by statute.

18 (5) Except during the 2009-2011 fiscal biennium, one percent of the
19 moneys deposited into the state and local toxics control accounts shall
20 be allocated only for public participation grants to persons who may be
21 adversely affected by a release or threatened release of a hazardous
22 substance and to not-for-profit public interest organizations. The
23 primary purpose of these grants is to facilitate the participation by
24 persons and organizations in the investigation and remedying of
25 releases or threatened releases of hazardous substances and to
26 implement the state's solid and hazardous waste management priorities.
27 (~~However, during the 1999-2001 fiscal biennium, funding may not be~~
28 ~~granted to entities engaged in lobbying activities, and applicants may~~
29 ~~not be awarded grants if their cumulative grant awards under this~~
30 ~~section exceed two hundred thousand dollars.)) No grant may exceed
31 sixty thousand dollars. Grants may be renewed annually. Moneys
32 appropriated for public participation from either account which are not
33 expended at the close of any biennium shall revert to the state toxics
34 control account.~~

35 (6) No moneys deposited into either the state or local toxics
36 control account may be used for solid waste incinerator feasibility
37 studies, construction, maintenance, or operation, or, after January 1,
38 2010, for projects designed to address the restoration of Puget Sound,

1 funded in a competitive grant process, that are in conflict with the
2 action agenda developed by the Puget Sound partnership under RCW
3 90.71.310.

4 (7) The department shall adopt rules for grant or loan issuance and
5 performance.

6 (8) During the 2007-2009 and 2009-2011 fiscal (~~(biennium)~~) biennia,
7 the legislature may transfer from the local toxics control account to
8 (~~(the state toxics control)~~) either the state general fund or the oil
9 spill prevention account, or both such amounts as reflect excess fund
10 balance in the account.

11 (9) During the (~~(2007-2009)~~) 2009-2011 fiscal biennium, the local
12 toxics control account may also be used for a standby rescue tug at
13 Neah Bay, local government shoreline update grants, private and public
14 sector diesel equipment retrofit, and oil spill prevention,
15 preparedness, and response activities.

16 (10) During the 2009-2011 fiscal biennium, the legislature may
17 transfer from the state toxics control account to the state general
18 fund such amounts as reflect the excess fund balance in the account.

19 **Sec. 952.** RCW 71.24.310 and 2006 c 333 s 107 are each amended to
20 read as follows:

21 The legislature finds that administration of chapter 71.05 RCW and
22 this chapter can be most efficiently and effectively implemented as
23 part of the regional support network defined in RCW 71.24.025. For
24 this reason, the legislature intends that the department and the
25 regional support networks shall work together to implement chapter
26 71.05 RCW as follows:

27 (1) By June 1, 2006, regional support networks shall recommend to
28 the department the number of state hospital beds that should be
29 allocated for use by each regional support network. The statewide
30 total allocation shall not exceed the number of state hospital beds
31 offering long-term inpatient care, as defined in this chapter, for
32 which funding is provided in the biennial appropriations act.

33 (2) If there is consensus among the regional support networks
34 regarding the number of state hospital beds that should be allocated
35 for use by each regional support network, the department shall contract
36 with each regional support network accordingly.

1 (3) If there is not consensus among the regional support networks
2 regarding the number of beds that should be allocated for use by each
3 regional support network, the department shall establish by emergency
4 rule the number of state hospital beds that are available for use by
5 each regional support network. The emergency rule shall be effective
6 September 1, 2006. The primary factor used in the allocation shall be
7 the estimated number of (~~acutely and chronically mentally ill~~) adults
8 with acute and chronic mental illness in each regional support network
9 area, based upon population-adjusted incidence and utilization.

10 (4) The allocation formula shall be updated at least every three
11 years to reflect demographic changes, and new evidence regarding the
12 incidence of acute and chronic mental illness and the need for long-
13 term inpatient care. In the updates, the statewide total allocation
14 shall include (a) all state hospital beds offering long-term inpatient
15 care for which funding is provided in the biennial appropriations act;
16 plus (b) the estimated equivalent number of beds or comparable
17 diversion services contracted in accordance with subsection (5) of this
18 section.

19 (5) The department is encouraged to enter performance-based
20 contracts with regional support networks to provide some or all of the
21 regional support network's allocated long-term inpatient treatment
22 capacity in the community, rather than in the state hospital. The
23 performance contracts shall specify the number of patient days of care
24 available for use by the regional support network in the state
25 hospital.

26 (6) If a regional support network uses more state hospital patient
27 days of care than it has been allocated under subsection (3) or (4) of
28 this section, or than it has contracted to use under subsection (5) of
29 this section, whichever is less, it shall reimburse the department for
30 that care. The reimbursement rate per day shall be the hospital's
31 total annual budget for long-term inpatient care, divided by the total
32 patient days of care assumed in development of that budget.

33 (7) One-half of any reimbursements received pursuant to subsection
34 (6) of this section shall be used to support the cost of operating the
35 state hospital and, during calendar year 2009, implementing new
36 services that will enable a regional support network to reduce its
37 utilization of the state hospital. The department shall distribute the
38 remaining half of such reimbursements among regional support networks

1 that have used less than their allocated or contracted patient days of
2 care at that hospital, proportional to the number of patient days of
3 care not used.

4 **Sec. 953.** RCW 74.08A.340 and 2008 c 329 s 922 are each amended to
5 read as follows:

6 The department of social and health services shall operate the
7 Washington WorkFirst program authorized under RCW 74.08A.200 through
8 74.08A.330, 43.330.145, 43.215.545, and 74.25.040, and chapter 74.12
9 RCW within the following constraints:

10 (1) The full amount of the temporary assistance for needy families
11 block grant, plus qualifying state expenditures as appropriated in the
12 biennial operating budget, shall be appropriated to the department each
13 year in the biennial appropriations act to carry out the provisions of
14 the program authorized in RCW 74.08A.200 through 74.08A.330,
15 43.330.145, 43.215.545, and 74.25.040, and chapter 74.12 RCW.

16 (2)(a) The department may expend funds defined in subsection (1) of
17 this section in any manner that will effectively accomplish the outcome
18 measures defined in RCW 74.08A.410 with the following exception:
19 Beginning with the 2007-2009 biennium, funds that constitute the
20 working connections child care program, child care quality programs,
21 and child care licensing functions.

22 (b) Beginning in the 2007-2009 fiscal biennium, the legislature
23 shall appropriate and the departments of early learning and social and
24 health services shall expend funds defined in subsection (1) of this
25 section that constitute the working connections child care program,
26 child care quality programs, and child care licensing functions in a
27 manner that is consistent with the outcome measures defined in RCW
28 74.08A.410.

29 (c) No more than fifteen percent of the amount provided in
30 subsection (1) of this section may be spent for administrative
31 purposes. For the purpose of this subsection, "administrative
32 purposes" does not include expenditures for information technology and
33 computerization needed for tracking and monitoring required by P.L.
34 104-193. The department shall not increase grant levels to recipients
35 of the program authorized in RCW 74.08A.200 through 74.08A.330 and
36 43.330.145 and chapter 74.12 RCW, except as authorized in the omnibus
37 appropriations act for the ((2007-2009)) 2009-2011 biennium.

1 (3) The department shall implement strategies that accomplish the
2 outcome measures identified in RCW 74.08A.410 that are within the
3 funding constraints in this section. Specifically, the department
4 shall implement strategies that will cause the number of cases in the
5 program authorized in RCW 74.08A.200 through 74.08A.330 and 43.330.145
6 and chapter 74.12 RCW to decrease by at least fifteen percent during
7 the 1997-99 biennium and by at least five percent in the subsequent
8 biennium. The department may transfer appropriation authority between
9 funding categories within the economic services program in order to
10 carry out the requirements of this subsection.

11 (4) The department shall monitor expenditures against the
12 appropriation levels provided for in subsection (1) of this section.
13 The department shall quarterly make a determination as to whether
14 expenditure levels will exceed available funding and communicate its
15 finding to the legislature. If the determination indicates that
16 expenditures will exceed funding at the end of the fiscal year, the
17 department shall take all necessary actions to ensure that all services
18 provided under this chapter shall be made available only to the extent
19 of the availability and level of appropriation made by the legislature.

20 **Sec. 954.** RCW 74.13.621 and 2005 c 439 s 1 are each amended to
21 read as follows:

22 (1) Within existing resources, the department shall establish an
23 oversight committee to monitor, guide, and report on kinship care
24 recommendations and implementation activities. The committee shall:

25 (a) Draft a kinship care definition that is restricted to persons
26 related by blood, marriage, or adoption, including marriages that have
27 been dissolved, or for a minor defined as an "Indian child" under the
28 federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the
29 definition of "extended family member" under the federal Indian child
30 welfare act, and a set of principles. If the committee concludes that
31 one or more programs or services would be more efficiently and
32 effectively delivered under a different definition of kin, it shall
33 state what definition is needed, and identify the program or service in
34 the report. It shall also provide evidence of how the program or
35 service will be more efficiently and effectively delivered under the
36 different definition. The department shall not adopt rules or policies
37 changing the definition of kin without authorizing legislation;

1 (b) Monitor and provide consultation on the implementation of
2 recommendations contained in the 2002 kinship care report, including
3 but not limited to the recommendations relating to legal and respite
4 care services and resources;

5 (c) Partner with nonprofit organizations and private sector
6 businesses to guide a public education awareness campaign; and

7 (d) Assist with developing future recommendations on kinship care
8 issues.

9 (2) The department shall consult with the oversight committee on
10 its efforts to better collaborate and coordinate services to benefit
11 kinship care families.

12 (3) The oversight committee must consist of a minimum of thirty
13 percent kinship caregivers, who shall represent a diversity of kinship
14 families. Statewide representation with geographic, ethnic, and gender
15 diversity is required. Other members shall include representatives of
16 the department, representatives of relevant state agencies,
17 representatives of the private nonprofit and business sectors, child
18 advocates, representatives of Washington state Indian tribes as defined
19 under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and
20 representatives of the legal or judicial field. Birth parents, foster
21 parents, and others who have an interest in these issues may also be
22 included.

23 (4) To the extent funding is available, the department may
24 reimburse nondepartmental members of the oversight committee for costs
25 incurred in participating in the meetings of the oversight committee.

26 (5) The kinship care oversight committee shall update the
27 legislature and governor annually on committee activities, with the
28 first update due by January 1, 2006.

29 (6) This section expires (~~January 1, 2010~~) June 30, 2011.

30 **Sec. 955.** RCW 77.12.820 and 1997 c 422 s 5 are each amended to
31 read as follows:

32 The eastern Washington pheasant enhancement account is created in
33 the custody of the state treasurer. All receipts under RCW 77.12.810
34 must be deposited in the account. Moneys in the account are subject to
35 legislative appropriation and shall be used for the purpose of funding
36 the eastern Washington pheasant enhancement program. The department
37 may use moneys from the account to improve pheasant habitat or to

1 purchase or produce pheasants. Except as otherwise provided in the
2 omnibus appropriations act for the 2009-2011 fiscal biennium, not less
3 than eighty percent of expenditures from the account must be used to
4 purchase or produce pheasants. The eastern Washington pheasant
5 enhancement account funds must not be used for the purchase of land.
6 The account may be used to offer grants to improve pheasant habitat on
7 public or private lands that are open to public hunting. The
8 department may enter partnerships with private landowners, nonprofit
9 corporations, cooperative groups, and federal or state agencies for the
10 purposes of pheasant habitat enhancement in areas that will be
11 available for public hunting.

12 **Sec. 956.** RCW 77.32.010 and 2008 c 329 s 923 are each amended to
13 read as follows:

14 (1) Except as otherwise provided in this chapter, a recreational
15 license issued by the director is required to hunt for or take wild
16 animals or wild birds, fish for, take, or harvest fish, shellfish, and
17 seaweed. A recreational fishing or shellfish license is not required
18 for carp, smelt, and crawfish, and a hunting license is not required
19 for bullfrogs.

20 (2) A permit issued by the department is required to park a motor
21 vehicle upon improved department access facilities.

22 (3) During the (~~2007-09~~) 2009-2011 fiscal biennium to enable the
23 implementation of the pilot project established in section 307, chapter
24 329, Laws of 2008, a fishing permit issued to a nontribal member by the
25 Colville Tribes shall satisfy the license requirements in subsection
26 (1) of this section on the waters of Lake Rufus Woods and on the north
27 shore of Lake Rufus Woods, and a Colville Tribes tribal member
28 identification card shall satisfy the license requirements in
29 subsection (1) of this section on all waters of Lake Rufus Woods.

30 **Sec. 957.** RCW 79.64.040 and 2007 c 522 s 958 are each amended to
31 read as follows:

32 (1) The board shall determine the amount deemed necessary in order
33 to achieve the purposes of this chapter and shall provide by rule for
34 the deduction of this amount from the moneys received from all leases,
35 sales, contracts, licenses, permits, easements, and rights-of-way

1 issued by the department and affecting state lands and aquatic lands,
2 provided that no deduction shall be made from the proceeds from
3 agricultural college lands.

4 (2) Moneys received as deposits from successful bidders, advance
5 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150
6 prior to December 1, 1981, which have not been subjected to deduction
7 under this section are not subject to deduction under this section.

8 (3) Except as otherwise provided in subsection (5) of this section,
9 the deductions authorized under this section shall not exceed twenty-
10 five percent of the moneys received by the department in connection
11 with any one transaction pertaining to state lands and aquatic lands
12 other than second-class tide and shore lands and the beds of navigable
13 waters, and fifty percent of the moneys received by the department
14 pertaining to second-class tide and shore lands and the beds of
15 navigable waters.

16 (4) In the event that the department sells logs using the contract
17 harvesting process described in RCW 79.15.500 through 79.15.530, the
18 moneys received subject to this section are the net proceeds from the
19 contract harvesting sale.

20 (5) During the ~~((2007-2009))~~ 2009-2011 fiscal biennium, the twenty-
21 five percent limitation on deductions set in subsection (3) of this
22 section may be increased up to thirty percent by the board(~~(, provided~~
23 ~~the total amount deducted does not exceed the total appropriations in~~
24 ~~the operating and capital budgets for the fiscal period. At the end of~~
25 ~~the fiscal period, any amounts deducted in excess of the appropriations~~
26 ~~shall be transferred to the appropriate beneficiary distribution~~
27 ~~accounts)).~~

28 **Sec. 958.** RCW 79A.25.080 and 2007 c 241 s 44 are each amended to
29 read as follows:

30 (1) Moneys transferred to the recreation resource account from the
31 marine fuel tax refund account may be used when appropriated by the
32 legislature, as well as any federal or other funds now or hereafter
33 available, to pay the office and necessary administrative and
34 coordinative costs of the recreation and conservation funding board
35 established by RCW 79A.25.110. All moneys so transferred, except those
36 appropriated as aforesaid, shall be divided into two equal shares and

1 shall be used to benefit watercraft recreation in this state as
2 follows:

3 ~~((1))~~ (a) One share as grants to state agencies for ~~((a))~~ (i)
4 acquisition of title to, or any interests or rights in, marine
5 recreation land, ~~((b))~~ (ii) capital improvement and renovation of
6 marine recreation land, including periodic dredging in accordance with
7 subsection ~~((3))~~ (2) of this section, if needed, to maintain or make
8 the facility more useful, or ~~((e))~~ (iii) matching funds in any case
9 where federal or other funds are made available on a matching basis for
10 purposes described in (a)(i) or ~~((b))~~ (ii) of this subsection;

11 ~~((2))~~ (b) One share as grants to public bodies to help finance
12 ~~((a))~~ (i) acquisition of title to, or any interests or rights in,
13 marine recreation land, or ~~((b))~~ (ii) capital improvement and
14 renovation of marine recreation land, including periodic dredging in
15 accordance with subsection ~~((3))~~ (2) of this section, if needed, to
16 maintain or make the facility more useful. A public body is authorized
17 to use a grant, together with its own contribution, as matching funds
18 in any case where federal or other funds are made available for
19 purposes described in (a)(i) or ~~((b))~~ (ii) of this subsection. The
20 board may prescribe further terms and conditions for the making of
21 grants in order to carry out the purposes of this chapter.

22 ~~((3))~~ (2) For the purposes of this section "periodic dredging" is
23 limited to dredging of materials that have been deposited in a channel
24 due to unforeseen events. This dredging should extend the expected
25 usefulness of the facility for at least five years.

26 (3) During the 2009-2011 fiscal biennium, the legislature may
27 appropriate such amounts as reflect the excess fund balance in the
28 recreation resource account to the state parks and recreation
29 commission for maintenance and operation of parks and to improve
30 accessibility for boaters and off-road vehicle users. This
31 appropriation is not required to follow the specific distribution
32 specified in subsection (1)(a) and (b) of this section.

33 **Sec. 959.** RCW 79.105.150 and 2008 c 299 s 28 are each amended to
34 read as follows:

35 (1) After deduction for management costs as provided in RCW
36 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
37 received by the state from the sale or lease of state-owned aquatic

1 lands and from the sale of valuable material from state-owned aquatic
2 lands shall be deposited in the aquatic lands enhancement account which
3 is hereby created in the state treasury. After appropriation, these
4 funds shall be used solely for aquatic lands enhancement projects; for
5 the purchase, improvement, or protection of aquatic lands for public
6 purposes; for providing and improving access to the lands; and for
7 volunteer cooperative fish and game projects. During the 2009-11
8 fiscal biennium, the legislature may transfer from the aquatic lands
9 enhancement account to the state general fund such amounts as reflect
10 excess fund balance of the account.

11 (2) In providing grants for aquatic lands enhancement projects, the
12 recreation and conservation funding board shall:

13 (a) Require grant recipients to incorporate the environmental
14 benefits of the project into their grant applications;

15 (b) Utilize the statement of environmental benefits, consideration,
16 except as provided in RCW 79.105.610, of whether the applicant is a
17 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
18 referenced in the action agenda developed by the Puget Sound
19 partnership under RCW 90.71.310, and except as otherwise provided in
20 RCW 79.105.630, and effective one calendar year following the
21 development and statewide availability of model evergreen community
22 management plans and ordinances under RCW 35.105.050, whether the
23 applicant is an entity that has been recognized, and what gradation of
24 recognition was received, in the evergreen community recognition
25 program created in RCW 35.105.030 in its prioritization and selection
26 process; and

27 (c) Develop appropriate outcome-focused performance measures to be
28 used both for management and performance assessment of the grants.

29 (3) To the extent possible, the department should coordinate its
30 performance measure system with other natural resource-related agencies
31 as defined in RCW 43.41.270.

32 (4) The department shall consult with affected interest groups in
33 implementing this section.

34 (5) After January 1, 2010, any project designed to address the
35 restoration of Puget Sound may be funded under this chapter only if the
36 project is not in conflict with the action agenda developed by the
37 Puget Sound partnership under RCW 90.71.310.

1 **Sec. 960.** RCW 80.36.430 and 2004 c 254 s 2 are each amended to
2 read as follows:

3 (1) The Washington telephone assistance program shall be funded by
4 a telephone assistance excise tax on all switched access lines and by
5 funds from any federal government or other programs for this purpose.
6 Switched access lines are defined in RCW 82.14B.020. The telephone
7 assistance excise tax shall be applied equally to all residential and
8 business access lines not to exceed fourteen cents per month. The
9 department shall submit an approved annual budget for the Washington
10 telephone assistance program to the department of revenue no later than
11 March 1st prior to the beginning of each fiscal year. The department
12 of revenue shall then determine the amount of telephone assistance
13 excise tax to be placed on each switched access line and shall inform
14 local exchange companies and the utilities and transportation
15 commission of this amount no later than May 1st. The department of
16 revenue shall determine the amount of telephone assistance excise tax
17 by dividing the total of the program budget funded by the telephone
18 assistance excise tax, as submitted by the department, by the total
19 number of switched access lines in the prior calendar year. The
20 telephone assistance excise tax shall be separately identified on each
21 ratepayer's bill as the "Washington telephone assistance program." All
22 money collected from the telephone assistance excise tax shall be
23 transferred to a telephone assistance fund administered by the
24 department.

25 (2) Local exchange companies shall bill the fund for their expenses
26 incurred in offering the telephone assistance program, including
27 administrative and program expenses. The department shall disburse the
28 money to the local exchange companies. The department is exempted from
29 having to conclude a contract with local exchange companies in order to
30 effect this reimbursement. The department shall recover its
31 administrative costs from the fund. The department may specify by rule
32 the range and extent of administrative and program expenses that will
33 be reimbursed to local exchange companies.

34 (3) The department shall enter into an agreement with the
35 department of community, trade, and economic development for an amount
36 not to exceed eight percent of the prior fiscal year's total revenue
37 for the administrative and program expenses of providing community
38 service voice mail services. The community service voice mail service

1 may include toll-free lines in community action agencies through which
2 recipients can access their community service voice mailboxes at no
3 charge.

4 (4) During the 2009-2011 biennium, the department shall enter into
5 an agreement with the military department for one million dollars to
6 support the WIN 211 program.

7 **Sec. 961.** RCW 86.26.007 and 2005 c 518 s 947 are each amended to
8 read as follows:

9 The flood control assistance account is hereby established in the
10 state treasury. At the beginning of the 2005-2007 fiscal biennium, the
11 state treasurer shall transfer three million dollars from the general
12 fund to the flood control assistance account. Each biennium thereafter
13 the state treasurer shall transfer four million dollars from the
14 general fund to the flood control assistance account, except that
15 during the 2009-2011 fiscal biennium, the state treasurer shall
16 transfer two million dollars from the general fund to the flood control
17 assistance account. Moneys in the flood control assistance account may
18 be spent only after appropriation for purposes specified under this
19 chapter.

20 NEW SECTION. **Sec. 962.** Section 940 of this act expires June 30,
21 2011.

22 NEW SECTION. **Sec. 963.** Section 946 of this act expires June 30,
23 2016.

(End of part)

1 **PART X**

2 **GENERAL GOVERNMENT**

3 **Sec. 1001.** 2009 c 4 s 101 (uncodified) is amended to read as
4 follows:

5 **FOR THE HOUSE OF REPRESENTATIVES**

6	General Fund--State Appropriation (FY 2008)	\$34,807,000
7	General Fund--State Appropriation (FY 2009)	(\$35,053,000)
8		<u>\$35,483,000</u>
9	Pension Funding Stabilization Account	
10	Appropriation	\$560,000
11	TOTAL APPROPRIATION	(\$70,420,000)
12		<u>\$70,850,000</u>

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

15 (1) \$56,000 of the general fund--state appropriation for fiscal
16 year 2008 is provided solely to implement Senate Bill No. 5926
17 (construction industry). If the bill is not enacted by June 30, 2007,
18 the amount provided in this subsection shall lapse.

19 (2) \$52,000 of the general fund--state appropriation for fiscal
20 year 2009 is provided solely for the implementation of Third Substitute
21 House Bill No. 1741 (oral history). If the bill is not enacted by June
22 30, 2008, the amount provided in this subsection shall lapse.

23 (3) \$194,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$194,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the legislature to contract
26 for an independent economic and actuarial analysis of health care
27 reform proposals pursuant to Engrossed Substitute Senate Bill No. 6333.
28 The results of this evaluation will be submitted to the governor, the
29 health and fiscal policy committees of the legislature, and the work
30 group by December 15, 2008.

31 **Sec. 1002.** 2009 c 4 s 110 (uncodified) is amended to read as
32 follows:

33 **FOR THE COURT OF APPEALS**

34	General Fund--State Appropriation (FY 2008)	\$16,092,000
35	General Fund--State Appropriation (FY 2009)	(\$16,765,000)

1 \$16,813,000
 2 TOTAL APPROPRIATION ((~~\$32,857,000~~))
 3 \$32,905,000

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

6 (1) \$100,000 of the general fund--state appropriation for fiscal
 7 year 2008 and \$100,000 of the general fund--state appropriation for
 8 fiscal year 2009 are provided solely for chapter 34, Laws of 2007
 9 (Senate Bill No. 5351, court of appeals judges' travel).

10 (2) In addition to other reductions, the reduced appropriations in
 11 this section reflect an additional \$376,000 reduction in administrative
 12 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
 13 state government administrative costs). These administrative
 14 reductions shall be achieved, to the greatest extent possible, by
 15 reducing those administrative costs that do not affect direct client
 16 services or direct service delivery or programs.

17 **Sec. 1003.** 2009 c 4 s 112 (uncodified) is amended to read as
 18 follows:

19 **FOR THE ADMINISTRATOR FOR THE COURTS**

20	General Fund--State Appropriation (FY 2008)	\$30,659,000
21	General Fund--State Appropriation (FY 2009)	((\$33,239,000))
22		<u>\$33,294,000</u>
23	Public Safety and Education Account--State	
24	Appropriation (FY 2008)	\$22,558,000
25	Public Safety and Education Account--State	
26	Appropriation (FY 2009)	((\$23,694,000))
27		<u>\$23,713,000</u>
28	Equal Justice Subaccount of the Public Safety and	
29	Education Account--State Appropriation (FY 2008)	\$3,175,000
30	Equal Justice Subaccount of the Public Safety and	
31	Education Account--State Appropriation (FY 2009)	\$3,175,000
32	Judicial Information Systems Account--State	
33	Appropriation	\$40,923,000
34	TOTAL APPROPRIATION	((\$157,423,000))
35		<u>\$157,497,000</u>

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

1 (1) \$3,900,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$3,900,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for court-appointed special
4 advocates in dependency matters. The administrator for the courts,
5 after consulting with the association of juvenile court administrators
6 and the association of court-appointed special advocate/guardian ad
7 litem programs, shall distribute the funds to volunteer court-appointed
8 special advocate/guardian ad litem programs. The distribution of
9 funding shall be based on the number of children who need volunteer
10 court-appointed special advocate representation and shall be equally
11 accessible to all volunteer court-appointed special advocate/guardian
12 ad litem programs. The administrator for the courts shall not retain
13 more than six percent of total funding to cover administrative or any
14 other agency costs. Funding distributed in this subsection shall not
15 be used to supplant existing local funding for the court-appointed
16 special advocates program.

17 (2) \$300,000 of the general fund--state appropriation for fiscal
18 year 2008, \$300,000 of the general fund--state appropriation for fiscal
19 year 2009, \$1,500,000 of the public safety and education account--state
20 appropriation for fiscal year 2008, and \$1,500,000 of the public safety
21 and education account--state appropriation for fiscal year 2009 are
22 provided solely for school districts for petitions to juvenile court
23 for truant students as provided in RCW 28A.225.030 and 28A.225.035.
24 The office of the administrator for the courts shall develop an
25 interagency agreement with the superintendent of public instruction to
26 allocate the funding provided in this subsection. Allocation of this
27 money to school districts shall be based on the number of petitions
28 filed. This funding includes amounts school districts may expend on
29 the cost of serving petitions filed under RCW 28A.225.030 by certified
30 mail or by personal service or for the performance of service of
31 process for any hearing associated with RCW 28A.225.030.

32 (3)(a) \$1,640,000 of the general fund--state appropriation for
33 fiscal year 2008, \$1,641,000 of the general fund--state appropriation
34 for fiscal year 2009, \$6,612,000 of the public safety and education
35 account--state appropriation for fiscal year 2008, and \$6,612,000 of
36 the public safety and education account--state appropriation for fiscal
37 year 2009 are provided solely for distribution to county juvenile court
38 administrators to fund the costs of processing truancy, children in

1 need of services, and at-risk youth petitions. The administrator for
2 the courts, in conjunction with the juvenile court administrators,
3 shall develop an equitable funding distribution formula. The formula
4 shall neither reward counties with higher than average per-petition
5 processing costs nor shall it penalize counties with lower than average
6 per-petition processing costs.

7 (b) Each fiscal year during the 2007-09 fiscal biennium, each
8 county shall report the number of petitions processed and the total
9 actual costs of processing truancy, children in need of services, and
10 at-risk youth petitions. Counties shall submit the reports to the
11 administrator for the courts no later than 45 days after the end of the
12 fiscal year. The administrator for the courts shall electronically
13 transmit this information to the chairs and ranking minority members of
14 the house of representatives appropriations committee and the senate
15 ways and means committee no later than 60 days after a fiscal year
16 ends. These reports are deemed informational in nature and are not for
17 the purpose of distributing funds.

18 (4) The distributions made under this subsection and distributions
19 from the county criminal justice assistance account made pursuant to
20 section 801 of this act constitute appropriate reimbursement for costs
21 for any new programs or increased level of service for purposes of RCW
22 43.135.060.

23 (5) \$325,000 of the general fund--state appropriation for fiscal
24 year 2008 is provided solely for the completion of the juror pay pilot
25 and research project.

26 (6) \$830,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$1,170,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for improving interpreter services
29 at the trial court level.

30 (a) Of these amounts, \$170,000 for fiscal year 2008 and \$170,000
31 for fiscal year 2009 are provided solely to assist trial courts in
32 developing and implementing language assistance plans. The
33 administrator of the courts, in consultation with the interpreter
34 commission, shall adopt language assistance plan standards consistent
35 with chapters 2.42 and 2.43 RCW. The standards shall include
36 guidelines on local community input, provisions on notifying court
37 users on the right and methods to obtain an interpreter, information on
38 training for judges and court personnel, procedures for identifying and

1 appointing an interpreter, access to translations of commonly used
2 forms, and processes to evaluate the development and implementation of
3 the plan.

4 (b) Of these amounts, \$610,000 for fiscal year 2008 and \$950,000
5 for fiscal year 2009 are provided solely to assist trial courts with
6 interpreter services. In order to be eligible for assistance, a trial
7 court must have completed a language assistance plan consistent with
8 the standards established in (a) of this subsection that is approved by
9 the administrator of the courts and submit the amounts spent annually
10 on interpreter services for fiscal years 2005, 2006, and 2007. The
11 funding in this subsection (b) shall not be used to supplant existing
12 funding and cannot be used for any purpose other than assisting trial
13 courts with interpreter services. At the end of the fiscal year,
14 recipients shall report to the administrator of the court the amount
15 the trial court spent on interpreter services.

16 (c) \$50,000 for fiscal year 2008 and \$50,000 for fiscal year 2009
17 are provided solely to the administrator of the courts for
18 administration of this subsection. By December 1, 2009, the
19 administrator of the courts shall report to the appropriate policy and
20 fiscal committees of the legislature: (i) The number of trial courts
21 in the state that have completed a language assistance plan; (ii) the
22 number of trial courts in the state that have not completed a language
23 assistance plan; (iii) the number of trial courts in the state that
24 received assistance under this subsection, the amount of the
25 assistance, and the amount each trial court spent on interpreter
26 services for fiscal years 2005 through 2008 and fiscal year 2009 to
27 date.

28 (7) \$443,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$543,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely for the implementation of Second
31 Substitute Senate Bill No. 5470 (dissolution proceedings). If the bill
32 is not enacted by June 30, 2007, the amounts provided in this
33 subsection shall lapse. Within the amounts provided:

34 (a) \$100,000 of the general fund--state appropriation for fiscal
35 year 2009 is provided solely for developing training materials for the
36 family court liaisons.

37 (b) \$43,000 of the general fund--state appropriation for fiscal

1 year 2008 and \$43,000 of the general fund--state appropriation for
2 fiscal year 2009 are provided solely for reimbursement costs related to
3 the family law handbook;

4 (c) \$350,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$350,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for distribution to counties to
7 provide guardian ad litem services for the indigent for a reduced or
8 waived fee;

9 (d) \$50,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$50,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely for implementing the data tracking
12 provisions specified in sections 701 and 702 of Second Substitute
13 Senate Bill No. 5470 (dissolution).

14 (8)(a) \$20,458,000 of the judicial information systems account--
15 state appropriation is provided solely for the development and
16 implementation of the core case management system. In expending the
17 funds provided within this subsection, the following conditions must
18 first be satisfied before any subsequent funds may be expended:

19 (i) Completion of feasibility studies detailing linkages between
20 the objectives of the core case management system and the following:
21 The technology efforts required and the impacts of the new investments
22 on existing infrastructure and business functions, including the
23 estimated fiscal impacts to the judicial information systems account
24 and the near general fund accounts; the alignment of critical system
25 requirements of varying size courts at the municipal, district, and
26 superior court level with their respective proposed business processes
27 resulting from business process engineering, and detail on the costs
28 and other impacts to the courts for providing critical business
29 requirements not addressed by new common business processes; the
30 specific requirements and business process needs of state agencies
31 dependent on data exchange with the judicial information system; and
32 the results from a proof of implementation phase; and

33 (ii) Discussion with and presentation to the department of
34 information systems and the information services board regarding the
35 impact on the state agencies dependent on successful data exchange with
36 the judicial information system and the results of the feasibility
37 studies.

1 (b) The judicial information systems committee shall provide
2 quarterly updates to the appropriate committees of the legislature and
3 the department of information systems on the status of implementation
4 of the core case management system.

5 (c) The legislature respectfully requests the judicial information
6 systems committee invite representatives from the state agencies
7 dependent on successful data exchange to their regular meetings for
8 consultation as nonvoting members.

9 (9) \$534,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$949,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely for Substitute Senate Bill No.
12 5320 (public guardianship office). If the bill is not enacted by June
13 30, 2007, the amounts provided in this subsection shall lapse.

14 (10) \$29,000 of the general fund--state appropriation for fiscal
15 year 2008 and \$102,000 of the general fund--state appropriation for
16 fiscal year 2009 are provided solely for the twenty-third superior
17 court judge position in Pierce county. The funds appropriated in this
18 subsection shall be expended only if the judge is appointed and serving
19 on the bench.

20 (11) \$800,000 of the general fund--state appropriation for fiscal
21 year 2009 is provided solely to implement Second Substitute House Bill
22 No. 2822 (family and juvenile court). If the bill is not enacted by
23 June 30, 2008, the amount provided in this subsection shall lapse.

24 (12) \$90,000 of the general fund--state appropriation for fiscal
25 year 2009 is provided solely to implement Second Substitute House Bill
26 No. 2903 (access coordinator). If the bill is not enacted by June 30,
27 2008, the amount provided in this subsection shall lapse.

28 (13) In addition to other reductions, the reduced appropriations in
29 this section reflect an additional \$207,000 reduction in administrative
30 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
31 state government administrative costs). These administrative
32 reductions shall be achieved, to the greatest extent possible, by
33 reducing those administrative costs that do not affect direct client
34 services or direct service delivery or programs.

35 (14) \$55,000 of the general fund--state appropriation for fiscal
36 year 2009 is provided solely for the 53rd superior court judge position
37 in King county. The amounts provided in this subsection shall be
38 expended only if the judge is appointed and serving on the bench.

1 **Sec. 1004.** 2009 c 4 s 118 (uncodified) is amended to read as
2 follows:

3 **FOR THE SECRETARY OF STATE**

4	General Fund--State Appropriation (FY 2008)	\$33,863,000
5	General Fund--State Appropriation (FY 2009)	(\$20,782,000)
6		<u>\$21,205,000</u>
7	General Fund--Federal Appropriation	\$7,279,000
8	General Fund--Private/Local Appropriation	\$132,000
9	Archives and Records Management Account--State	
10	Appropriation	(\$8,337,000)
11		<u>\$8,442,000</u>
12	Department of Personnel Service Account--State	
13	Appropriation	\$760,000
14	Local Government Archives Account--State	
15	Appropriation	\$15,342,000
16	<u>Election Account--State Appropriation</u>	<u>\$228,000</u>
17	Election Account--Federal Appropriation	\$31,511,000
18	Charitable Organization Education Account--State	
19	Appropriation	\$122,000
20	TOTAL APPROPRIATION	(\$118,128,000)
21		<u>\$118,884,000</u>

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

24 (1) \$13,290,000 of the general fund--state appropriation for fiscal
25 year 2008 is provided solely to reimburse counties for the state's
26 share of primary and general election costs and the costs of conducting
27 mandatory recounts on state measures. Counties shall be reimbursed
28 only for those odd-year election costs that the secretary of state
29 validates as eligible for reimbursement.

30 (2) \$2,556,000 of the general fund--state appropriation for fiscal
31 year 2008 and \$3,965,000 of the general fund--state appropriation for
32 fiscal year 2009 are provided solely for the verification of initiative
33 and referendum petitions, maintenance of related voter registration
34 records, and the publication and distribution of the voters and
35 candidates pamphlet.

36 (3) \$125,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$118,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for legal advertising of state
2 measures under RCW 29A.52.330.

3 (4)(a) \$2,465,000 of the general fund--state appropriation for
4 fiscal year 2008 and \$2,501,000 of the general fund--state
5 appropriation for fiscal year 2009 are provided solely for contracting
6 with a nonprofit organization to produce gavel-to-gavel television
7 coverage of state government deliberations and other events of
8 statewide significance during the 2007-09 biennium. The funding level
9 for each year of the contract shall be based on the amount provided in
10 this subsection. The nonprofit organization shall be required to raise
11 contributions or commitments to make contributions, in cash or in kind,
12 in an amount equal to forty percent of the state contribution. The
13 office of the secretary of state may make full or partial payment once
14 all criteria in this subsection have been satisfactorily documented.

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

20 (c) The nonprofit organization shall prepare an annual independent
21 audit, an annual financial statement, and an annual report, including
22 benchmarks that measure the success of the nonprofit organization in
23 meeting the intent of the program.

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

26 (i) Attempting to influence the passage or defeat of any
27 legislation by the legislature of the state of Washington, by any
28 county, city, town, or other political subdivision of the state of
29 Washington, or by the congress, or the adoption or rejection of any
30 rule, standard, rate, or other legislative enactment of any state
31 agency;

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

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

35 (5) \$45,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$45,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for humanities Washington's "we
38 the people" community conversations program.

1 (6) \$575,000 of the general fund--state appropriation for fiscal
2 year 2008 is provided solely for settlement costs and attorney fees
3 resulting from the resolution of *Washington Association of Churches, et*
4 *al. v. Reed*, United States District Court Western District of
5 Washington at Seattle, Case No. CV06-0726RSM.

6 **Sec. 1005.** 2009 c 4 s 124 (uncodified) is amended to read as
7 follows:

8 **FOR THE ATTORNEY GENERAL**

9	General Fund--State Appropriation (FY 2008)	\$6,262,000
10	General Fund--State Appropriation (FY 2009)	\$5,541,000
11	General Fund--Federal Appropriation	\$3,960,000
12	Public Safety and Education Account--State	
13	Appropriation (FY 2008)	\$1,143,000
14	Public Safety and Education Account--State	
15	Appropriation (FY 2009)	\$1,228,000
16	New Motor Vehicle Arbitration Account--State	
17	Appropriation	\$1,312,000
18	Legal Services Revolving Account--State	
19	Appropriation	((\$229,579,000))
20		<u>\$231,391,000</u>
21	Tobacco Prevention and Control Account--State	
22	Appropriation	\$270,000
23	TOTAL APPROPRIATION	((\$249,295,000))
24		<u>\$251,107,000</u>

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

27 (1) The attorney general shall report each fiscal year on actual
28 legal services expenditures and actual attorney staffing levels for
29 each agency receiving legal services. The report shall be submitted to
30 the office of financial management and the fiscal committees of the
31 senate and house of representatives no later than ninety days after the
32 end of each fiscal year.

33 (2) Prior to entering into any negotiated settlement of a claim
34 against the state that exceeds five million dollars, the attorney
35 general shall notify the director of financial management and the
36 chairs of the senate committee on ways and means and the house of
37 representatives committee on appropriations.

1 (3) \$9,446,000 of the legal services revolving account--state
2 appropriation is provided solely for increases in salaries and benefits
3 of assistant attorneys general effective July 1, 2007. This funding is
4 provided solely for increases to address critical recruitment and
5 retention problems, and shall not be used for the performance
6 management program or to fund general administration. The attorney
7 general shall report to the office of financial management and the
8 fiscal committees of the senate and house of representatives by October
9 1, 2008, and provide detailed demographic information regarding
10 assistant attorneys general who received increased salaries and
11 benefits as a result of the appropriation. The report shall include at
12 a minimum information regarding the years of service, division
13 assignment within the attorney general's office, and client agencies
14 represented by assistant attorneys general receiving increased salaries
15 and benefits as a result of the amount provided in this subsection.
16 The report shall include a proposed salary schedule for all assistant
17 attorneys general using the same factors used to determine increased
18 salaries under this section. The report shall also provide initial
19 findings regarding the effect of the increases on recruitment and
20 retention of assistant attorneys general.

21 (4) \$69,000 of the legal services revolving fund--state
22 appropriation is provided solely for Engrossed Substitute Senate Bill
23 No. 6001 (climate change). If the bill is not enacted by June 30, 2007,
24 the amount provided in this subsection shall lapse.

25 (5) \$44,000 of the legal services revolving fund--state
26 appropriation is provided solely for Substitute Senate Bill No. 5972
27 (surface mining reclamation). If the bill is not enacted by June 30,
28 2007, the amount provided in this subsection shall lapse.

29 (6) \$110,000 of the legal services revolving account--state
30 appropriation is provided solely for implementation of Second
31 Substitute House Bill No. 3274 (port district contracting). If the
32 bill is not enacted by June 30, 2008, the amount provided in this
33 subsection shall lapse.

34 (7) \$346,000 of the legal services revolving account--state
35 appropriation is provided solely for implementation of sections 2 and
36 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term
37 well-being). If the bill is not enacted by June 30, 2008, the amount
38 provided in this subsection shall lapse.

1 (8) \$492,000 of the legal services revolving account--state
2 appropriation is provided solely for implementation of Second
3 Substitute Senate Bill No. 6732 (construction industry). If the bill
4 is not enacted by June 30, 2008, the amount provided in this subsection
5 shall lapse.

6 (9) The agency shall submit a staffing model that supports the need
7 for increased resources due to casework associated with the sexually
8 violent predator population to the office of financial management and
9 the fiscal committees of the legislature by October 31, 2008.

10 (10) The attorney general shall deposit to the health services
11 account at least \$680,000 from the *cy pres* monetary portion of the
12 consent decree in settlement of the consumer protection act litigation
13 against Caremark Rx, LLC (King county superior court cause no. 08-2-
14 06098-5). These moneys shall be expended pursuant to legislative
15 appropriation consistent with the terms of the consent decree.

16 **Sec. 1006.** 2009 c 4 s 128 (uncodified) is amended to read as
17 follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

19	General Fund--State Appropriation (FY 2008)	\$24,110,000
20	General Fund--State Appropriation (FY 2009)	(\$33,485,000)
21		<u>\$33,835,000</u>
22	General Fund--Federal Appropriation	\$23,934,000
23	General Fund--Private/Local Appropriation	\$1,269,000
24	State Auditing Services Revolving Account--State	
25	Appropriation	\$25,000
26	Violence Reduction and Drug Enforcement Account--	
27	State Appropriation (FY 2008)	\$123,000
28	Economic Development Strategic Reserve Account--	
29	State Appropriation	\$175,000
30	TOTAL APPROPRIATION	(\$83,121,000)
31		<u>\$83,471,000</u>

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

34 (1) \$33,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$58,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided for a contract with the Ruckelshaus
37 center to continue the agricultural pilot programs that identify

1 projects to enhance farm income and improve natural resource
2 protection. Specific work will include project outreach and
3 refinement, stakeholder support, staffing the oversight committee,
4 seeking federal and private match funding, and further refining the
5 list of projects to be recommended for funding.

6 (2) \$155,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$254,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided for a contract with the Ruckelshaus
9 center to fund "proof-of-concept" model and projects recommended by the
10 oversight committee, as provided in subsection (1) of this section.

11 (3) \$580,000 of the general fund--state appropriation for fiscal
12 year 2008 and \$505,000 of the general fund--state appropriation for
13 fiscal year 2009 are provided solely to the association of Washington
14 cities and the Washington state association of counties for improving
15 project permitting and mitigation processes.

16 (4) \$320,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$270,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for the office of regulatory
19 assistance to develop statewide multiagency permits for transportation
20 infrastructure and other projects that integrate local, state, and
21 federal permit requirements and mitigation standards.

22 (5) \$1,050,000 of the general fund--state appropriation for fiscal
23 year 2008 and \$1,050,000 of the general fund--state appropriation for
24 fiscal year 2009 are provided solely to implement Second Substitute
25 Senate Bill No. 5122 (regulatory assistance programs). If the bill is
26 not enacted by June 30, 2007, the amounts provided in this subsection
27 shall lapse.

28 (6) \$190,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$90,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely to implement chapter 139, Laws of
31 2007 (student transportation funding) which requires development of two
32 options for a new K-12 pupil transportation funding formula.

33 (7) \$175,000 of the general fund--state appropriation for fiscal
34 year 2008 is provided solely for financial assistance to local
35 government agencies in counties representing populations of fewer than
36 350,000 residents for the acquisition and development of streamlined
37 permitting technology infrastructure through an integrated business
38 portal approach. Grant awards may not exceed \$100,000 per local

1 government agency per fiscal year. The funding must be used to acquire
2 and implement permit tracking systems that can support and are
3 compatible with a multijurisdictional, integrated approach. Prior to
4 granting funds, the office of regulatory assistance shall ensure that
5 the proposed systems and technology are based on open-industry
6 standards, allow for future integration of processes and sharing of
7 data, and are extendable.

8 (8) \$474,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$331,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely for the implementation of sections
11 50 through 57 (health resources strategy) of Engrossed Second
12 Substitute Senate Bill No. 5930 (blue ribbon commission on health
13 care). If the bill is not enacted by June 2007, the amounts provided
14 in this subsection shall lapse.

15 (9) \$300,000 of the general fund--state appropriation for fiscal
16 year 2008 is provided solely to implement section 3 of Substitute
17 Senate Bill No. 5248 (preserving the viability of agricultural lands).
18 Funds are provided for a contract with the Ruckelshaus center to
19 examine conflicts between agriculture activities and critical areas
20 ordinances. If the bill is not enacted by June 30, 2007, the amounts
21 provided in this subsection shall lapse.

22 (10) The education data center within the office of financial
23 management may convene a work group to assess the feasibility, costs,
24 and benefits of a higher education data system that uses privacy-
25 protected student-level data.

26 (11) \$250,000 of the general fund--state appropriation for fiscal
27 year 2008 is provided solely for the office of financial management to
28 establish and provide staff support for the Washington citizens' work
29 group on health care reform, pursuant to Engrossed Substitute Senate
30 Bill No. 6333.

31 (12) \$11,372,000 of the general fund--state appropriation for
32 fiscal year 2009 is provided solely for the development and
33 implementation of the Washington assessment of student learning (WASL)
34 and related activities and is in addition to the funding amounts
35 provided in section 511 of this act. The funding provided in this
36 subsection is subject to the following conditions and limitations: The
37 office of financial management shall develop an interagency agreement
38 with the office of the superintendent of public instruction for the

1 expenditure of these funds based on a quarterly allotment schedule.
2 Before releasing funds to the office of the superintendent of public
3 instruction each quarter, the office of financial management shall
4 ensure compliance with this subsection. Effective with the 2009
5 administration of the Washington assessment of student learning, while
6 maintaining the reliability and validity of the assessment, the office
7 of the superintendent of public instruction shall redesign the
8 assessment in the content areas of reading, mathematics, and science in
9 all grades except high school by shortening test administration,
10 reducing the number of short answer and extended response questions,
11 and potentially decreasing the number of items utilized in the
12 assessment, particularly in grades tested under the requirements of the
13 federal no child left behind act. In selecting and developing the new
14 contractual obligations for the assessment contractor beginning in
15 fiscal year 2009, the office of the superintendent of public
16 instruction shall preserve legislative authority to set the student
17 learning assessment policy and potentially make minor or significant
18 changes to that policy in the future with the least amount of adverse
19 fiscal and other impacts to the state as possible. In doing this, the
20 office of the superintendent of public instruction shall advise and
21 consult with the appropriate policy and fiscal committees of the
22 legislature and the Washington assessment of student learning work
23 group created in this subsection. Within the amounts appropriated in
24 this subsection, a legislative work group on the Washington assessment
25 of student learning is established. The work group will consist of a
26 maximum of nine members. Legislative members shall be appointed by the
27 president of the senate and the speaker of the house of representatives
28 and shall represent the two largest caucuses of both the senate and the
29 house of representatives. The purpose of this work group is to review
30 and evaluate the current assessment system by January 1, 2009, and
31 potentially make recommendations to improve it. Of the amount provided
32 in this section, \$150,000 is provided solely for costs associated with
33 hiring independent technical experts to advise the Washington
34 assessment of student learning work group created in this subsection.

35 (13) Through prior legislation, many state activities that protect
36 the general public by safeguarding health, safety, employees, and
37 consumers are supported by fees assessed on items such as licensing,
38 registration, certification, and inspections. Moreover, higher

1 education, workforce training, and a number of other government
2 services are supported at least in part by fees assessed on those who
3 participate in these programs. Therefore, the office of financial
4 management shall conduct a review and analysis of all fees for which
5 the legislature has delegated to state agencies and institutions of
6 higher education the ability to establish and determine the amount,
7 either upon initial establishment or subsequent increases. Fees, as
8 used in this subsection, has the same meaning as used in RCW
9 43.135.055. The objective of the review and analysis is to document
10 the level of fees paid over the past five years, the cost of those
11 programs over that same time period, and, to the extent available, the
12 effectiveness of the activity in meeting its performance targets. The
13 review and analysis shall include the following information:

14 (a) Information about the program, including the statutory
15 authority for the program, date enacted, and the parties that benefit
16 from the program; and

17 (b) Information about the program fees, including name and
18 description of the fees, the parties that bear the cost of the fees,
19 the methodology for determining the fees, and whether the fees directly
20 fund the program; and

21 (c) Financial related information, including an assessment of the
22 program's fee amount assessed over the past five years, the scope of
23 the program and related costs over the past 5 years, and whether the
24 program's expenditures are subject to appropriation or allotment
25 procedures under chapter 43.88 RCW; and

26 (d) To the extent available, information on the program activities
27 and related performance measures that may assist in assessing the
28 effectiveness of the program in achieving its goals.

29 The office of financial management shall report its findings to the
30 governor and the fiscal committees of the legislature by October 1,
31 2008.

32 (14) In addition to other reductions, the reduced appropriations in
33 this section reflect an additional \$305,000 reduction in administrative
34 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
35 state government administrative costs). These administrative
36 reductions shall be achieved, to the greatest extent possible, by
37 reducing those administrative costs that do not affect direct client
38 services or direct service delivery or programs.

1 (3)(a) \$50,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$25,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to conduct a study of the taxation
4 of electronically delivered products. The legislature recognizes that
5 chapter . . . (Engrossed Substitute House Bill No. 1981), Laws of 2007,
6 relates to specific types of electronically delivered products and does
7 not address the taxation of numerous other types of electronically
8 delivered products. Therefore, a policy question remains concerning
9 the sales and use taxation of other electronically delivered products.

10 (b)(i) To perform the study, the department of revenue shall be
11 assisted by a committee. The committee shall include four legislative
12 members appointed as follows:

13 (A) The president of the senate shall appoint one member from each
14 of the two largest caucuses of the senate; and

15 (B) The speaker of the house of representatives shall appoint one
16 member from each of the two largest caucuses of the house of
17 representatives.

18 (ii) The department of revenue shall appoint additional members
19 with balanced representation from different segments of government and
20 industry, and shall consider representation from the following areas:
21 Small and large businesses that generate, deliver, or use
22 electronically delivered products; financial institutions; insurers;
23 persons with expertise in tax law in an academic or private sector
24 setting; and persons experienced in working with computers and
25 electronically delivered products. The department of revenue shall
26 appoint additional members from the department with expertise in the
27 excise taxation of electronically delivered products.

28 (iii) The committee shall choose its chair from among its
29 membership.

30 (iv) The department and committee shall review the following
31 issues: The provision of explicit statutory definitions for
32 electronically delivered products; the current excise tax treatment of
33 electronically delivered products in the state of Washington and other
34 states as well as the tax treatment of these products under the
35 streamlined sales and use tax agreement; the administration, costs, and
36 potential recipients of the tax exemptions provided in chapter . . .
37 (Engrossed Substitute House Bill No. 1981), Laws of 2007; and

1 alternatives to the excise taxation of electronically delivered
2 products.

3 (v) Legislative members of the committee are reimbursed for travel
4 expenses in accordance with RCW 44.04.120. Nonlegislative members of
5 the committee, except those representing an employer or organization,
6 are entitled to be reimbursed for travel expenses in accordance with
7 RCW 43.03.050 and 43.03.060.

8 (c) The department shall report its preliminary findings and
9 recommendations to the appropriate fiscal committees of the legislature
10 by November 30, 2007. The department shall provide the final report of
11 its findings and recommendations to the appropriate fiscal committees
12 of the legislature by September 1, 2008.

13 (4) \$250,000 of the general fund--state appropriation for fiscal
14 year 2009 is for the implementation of Engrossed Substitute Senate Bill
15 No. 6809 (working families tax exemption). If the bill is not enacted
16 by June 30, 2008, the amounts in this subsection shall lapse. This
17 subsection does not constitute approval of the exemption under section
18 2, chapter . . . (ESSB 6809), Laws of 2008 or authorize payments of
19 remittances.

20 (5) \$22,000 of the general fund--state appropriation for fiscal
21 year 2009 is for the implementation of Second Substitute House Bill No.
22 3104 (domestic partnerships). If the bill is not enacted by June 30,
23 2008, the amounts in this subsection shall lapse.

24 (6) In addition to other reductions, the reduced appropriations in
25 this section reflect an additional \$214,000 reduction in administrative
26 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
27 state government administrative costs). These administrative
28 reductions shall be achieved, to the greatest extent possible, by
29 reducing those administrative costs that do not affect direct client
30 services or direct service delivery or programs.

31 **Sec. 1009.** 2009 c 4 s 140 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

34	General Fund--State Appropriation (FY 2008)	\$591,000
35	General Fund--State Appropriation (FY 2009)	(\$557,000)
36		<u>\$783,000</u>
37	General Fund--Federal Appropriation	\$3,651,000

1	General Administration Service Account--State	
2	Appropriation	\$36,893,000
3	TOTAL APPROPRIATION	((\$41,692,000))
4		<u>\$41,918,000</u>

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

7 (1) \$100,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$100,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for the temporary emergency food
10 assistance program.

11 (2) Within the appropriations in this section, specific funding is
12 provided to implement Second Substitute House Bill No. 1332 (affordable
13 housing).

14 (3) \$391,000 of the general administration services account--state
15 appropriation for fiscal year 2009 is provided solely for
16 implementation of costs associated with the planning of agency moves
17 out of the general administration building.

18 (4) The department shall work with the office of financial
19 management to develop a plan that balances revenues and expenditures
20 for each line of business within the general administration services
21 account. State agency rates developed for the 2009-2011 biennium must
22 equitably and reasonably reflect the actual cost of services provided
23 to state agencies including the appropriate allocation of agency
24 overhead costs. By August 31, 2008, the department shall submit to the
25 office of financial management and the fiscal committees of the
26 legislature financial statements for each line of business that shall
27 inform the basis for agency rate development for the forthcoming
28 biennium.

29 (5) The department shall submit a report to the office of financial
30 management and the fiscal committees of the legislature that responds
31 to each of the state auditor's motor pool audit recommendations by
32 August 31, 2008. This report shall consist of recommendations that
33 have been adopted by the department, progress made towards achieving
34 those recommendations not yet completed, and justification for why the
35 department is unable to fulfill any of the recommendations in the
36 report.

1 earthquake. The military department shall submit a report quarterly to
2 the office of financial management and the legislative fiscal
3 committees detailing earthquake recovery costs, including: (a)
4 Estimates of total costs; (b) incremental changes from the previous
5 estimate; (c) actual expenditures; (d) estimates of total remaining
6 costs to be paid; and (e) estimates of future payments by biennium.
7 This information shall be displayed by fund, by type of assistance, and
8 by amount paid on behalf of state agencies or local organizations. The
9 military department shall also submit a report quarterly to the office
10 of financial management and the legislative fiscal committees detailing
11 information on the Nisqually earthquake account, including: (a) The
12 amount and type of deposits into the account; (b) the current available
13 fund balance as of the reporting date; and (c) the projected fund
14 balance at the end of the 2007-2009 biennium based on current revenue
15 and expenditure patterns.

16 (3) \$61,000,000 of the general fund--federal appropriation is
17 provided solely for homeland security, subject to the following
18 conditions:

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

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

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

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

37 (4) Within the funds appropriated in this section, the department

1 shall implement Substitute House Bill No. 1507 (uniformed service
2 shared leave).

3 (5) \$1,000,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$1,000,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for the military department to
6 contract with the Washington information network 2-1-1 to operate a
7 statewide 2-1-1 system. The department shall provide the entire amount
8 for 2-1-1 and shall not take any of the funds for administrative
9 purposes.

10 (6) \$200,000 of the enhanced 911 account--state appropriation is
11 provided solely for the department to recommend an appropriate funding
12 mechanism for the implementation of next generation 911. The
13 department shall consult with the utilities and transportation
14 commission, the department of revenue, local governments, and
15 representatives from companies providing telecommunications services in
16 order to complete the report required under this subsection. The
17 department may also consult with other public safety and medical
18 associations in order to complete the study. The department shall
19 submit the report to the finance committee and the technology, energy,
20 and communications committee of the house of representatives, and the
21 ways and means committee and the water, energy, and telecommunications
22 committee of the senate, by December 1, 2008.

23 **Sec. 1013.** 2009 c 4 s 151 (uncodified) is amended to read as
24 follows:

25 **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

26	General Fund--State Appropriation (FY 2008)	\$1,893,000
27	General Fund--State Appropriation (FY 2009)	(\$1,878,000)
28		<u>\$1,924,000</u>
29	TOTAL APPROPRIATION	(\$3,771,000)
30		<u>\$3,817,000</u>

31 **Sec. 1014.** 2008 c 329 s 151 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE CONVENTION AND TRADE CENTER**

34	State Convention and Trade Center Account--State	
35	Appropriation	(\$44,773,000)
36		<u>\$39,769,000</u>

1	State Convention and Trade Center Operating	
2	Account--State Appropriation	\$53,750,000
3	TOTAL APPROPRIATION	((\$98,523,000))
4		<u>\$93,519,000</u>

(End of part)

1 appropriated under sections 204, 206, 208, and 209 of this act as may
2 be necessary to finance a unified health care plan for the WMIP program
3 enrollment. The WMIP pilot projects shall not exceed a daily
4 enrollment of 6,000 persons, nor expand beyond one county, during the
5 2007-2009 biennium. The amount of funding assigned to the pilot
6 projects from each program may not exceed the average per capita cost
7 assumed in this act for individuals covered by that program,
8 actuarially adjusted for the health condition of persons enrolled in
9 the pilot project, times the number of clients enrolled in the pilot
10 project. In implementing the WMIP pilot projects, the department may:
11 (a) Withhold from calculations of "available resources" as set forth in
12 RCW 71.24.025 a sum equal to the capitated rate for individuals
13 enrolled in the pilots; and (b) employ capitation financing and risk-
14 sharing arrangements in collaboration with health care service
15 contractors licensed by the office of the insurance commissioner and
16 qualified to participate in both the medicaid and medicare programs.
17 The department shall conduct an evaluation of the WMIP, measuring
18 changes in participant health outcomes, changes in patterns of service
19 utilization, participant satisfaction, participant access to services,
20 and the state fiscal impact.

21 (5)(a) The appropriations to the department of social and health
22 services in this act shall be expended for the programs and in the
23 amounts specified in this act. However, after May 1, (~~2008~~) 2009,
24 unless specifically prohibited by this act, the department may transfer
25 general fund--state appropriations for fiscal year (~~2008~~) 2009 among
26 programs after approval by the director of financial management.
27 However, the department shall not transfer state moneys that are
28 provided solely for a specified purpose except as expressly provided in
29 (b) of this subsection.

30 (b) To the extent that transfers under (a) of this subsection are
31 insufficient to fund actual expenditures in excess of fiscal year
32 (~~2008~~) 2009 caseload forecasts and utilization assumptions in the
33 medical assistance, long-term care, foster care, adoption support, and
34 child support programs, the department may transfer state moneys that
35 are provided solely for a specified purpose. The department shall not
36 transfer funds, and the director of financial management shall not
37 approve the transfer, unless the transfer is consistent with the
38 objective of conserving, to the maximum extent possible, the

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

9 **Sec. 1102.** 2009 c 4 s 201 (uncodified) is amended to read as
10 follows:

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

13	General Fund--State Appropriation (FY 2008)	\$316,353,000
14	General Fund--State Appropriation (FY 2009)	(\$338,838,000)
15		<u>\$340,780,000</u>
16	General Fund--Federal Appropriation	(\$490,314,000)
17		<u>\$500,718,000</u>
18	General Fund--Private/Local Appropriation	\$2,187,000
19	Domestic Violence Prevention Account--State	
20	Appropriation	\$1,000,000
21	Public Safety and Education Account--State	
22	Appropriation (FY 2008)	\$3,251,000
23	Public Safety and Education Account--State	
24	Appropriation (FY 2009)	\$3,254,000
25	Violence Reduction and Drug Enforcement Account--State	
26	Appropriation (FY 2008)	\$2,934,000
27	Violence Reduction and Drug Enforcement Account--State	
28	Appropriation (FY 2009)	\$2,934,000
29	Pension Funding Stabilization Account--State	
30	Appropriation	\$2,298,000
31	TOTAL APPROPRIATION	(\$1,163,363,000)
32		<u>\$1,175,709,000</u>

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

- 35 (1) \$3,063,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$2,993,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for the category of services
2 titled "intensive family preservation services."

3 (2) \$945,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$993,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely to contract for the operation of
6 one pediatric interim care facility. The facility shall provide
7 residential care for up to seventeen children through two years of age.
8 Seventy-five percent of the children served by the facility must be in
9 need of special care as a result of substance abuse by their mothers.
10 The facility shall also provide on-site training to biological,
11 adoptive, or foster parents. The facility shall provide at least three
12 months of consultation and support to parents accepting placement of
13 children from the facility. The facility may recruit new and current
14 foster and adoptive parents for infants served by the facility. The
15 department shall not require case management as a condition of the
16 contract.

17 (3) \$375,000 of the general fund--state appropriation for fiscal
18 year 2008, \$375,000 of the general fund--state appropriation for fiscal
19 year 2009, and \$322,000 of the general fund--federal appropriation are
20 provided solely for up to three nonfacility-based programs for the
21 training, consultation, support, and recruitment of biological, foster,
22 and adoptive parents of children through age three in need of special
23 care as a result of substance abuse by their mothers, except that each
24 program may serve up to three medically fragile nonsubstance-abuse-
25 affected children. In selecting nonfacility-based programs, preference
26 shall be given to programs whose federal or private funding sources
27 have expired or that have successfully performed under the existing
28 pediatric interim care program.

29 (4) \$125,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$125,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for a foster parent retention
32 program. This program is directed at foster parents caring for
33 children who act out sexually.

34 (5) The providers for the 31 HOPE beds shall be paid a \$1,020 base
35 payment per bed per month, and reimbursed for the remainder of the bed
36 cost only when the beds are occupied.

37 (6) Within amounts provided for the foster care and adoption
38 support programs, the department shall control reimbursement decisions

1 for foster care and adoption support cases such that the aggregate
2 average cost per case for foster care and for adoption support does not
3 exceed the amounts assumed in the projected caseload expenditures.

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

11 (8) \$500,000 of the general fund--state appropriation for fiscal
12 year 2008, \$500,000 of the general fund--state appropriation for fiscal
13 year 2009, and \$429,000 of the general fund--federal appropriation are
14 provided solely to increase services provided through children's
15 advocacy centers.

16 (9) \$50,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$50,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for a street youth program in
19 Spokane.

20 (10) \$41,000 of the general fund--state appropriation for fiscal
21 year 2008, \$37,000 of the general fund--state appropriation for fiscal
22 year 2009, and \$34,000 of the general fund--federal appropriation are
23 provided solely for the implementation of Substitute House Bill No.
24 1472 (child welfare).

25 (11) \$858,000 of the general fund--state appropriation for fiscal
26 year 2008, \$809,000 of the general fund--state appropriation for fiscal
27 year 2009, and \$715,000 of the general fund--federal appropriation are
28 provided solely to implement Engrossed Substitute Senate Bill No. 5774
29 (background checks), including sections 6 and 7. If the bill is not
30 enacted by June 30, 2007, the amounts provided in this subsection shall
31 lapse.

32 (12) \$4,962,000 of the general fund--state appropriation for fiscal
33 year 2008, \$4,586,000 of the general fund--state appropriation for
34 fiscal year 2009, and \$9,548,000 of the general fund--federal
35 appropriation are provided solely for development and implementation of
36 a statewide automated child welfare information system.

37 (13) \$126,000 of the general fund--state appropriation for fiscal
38 year 2009 and \$55,000 of the general fund--federal appropriation are

1 provided solely to implement Substitute Senate Bill No. 5321 (child
2 welfare). If the bill is not enacted by June 30, 2007, the amounts
3 provided in this subsection shall lapse.

4 (14) \$707,000 of the general fund--state appropriation for fiscal
5 year 2008, \$680,000 of the general fund--state appropriation for fiscal
6 year 2009, and \$594,000 of the general fund--federal appropriation are
7 provided solely for the implementation of Second Substitute House Bill
8 No. 1334 (child welfare proceedings). If the bill is not enacted by
9 June 30, 2007, the amounts provided in this subsection shall lapse.

10 (15) \$2,237,000 of the general fund--state appropriation for fiscal
11 year 2008, \$2,238,000 of the general fund--state appropriation for
12 fiscal year 2009, and \$1,918,000 of the general fund--federal
13 appropriation are provided solely for the implementation of Substitute
14 House Bill No. 1333 (child welfare). If the bill is not enacted by
15 June 30, 2007, the amounts provided in this subsection shall lapse.

16 (16) \$137,000 of the general fund--state appropriation for fiscal
17 year 2008, \$137,000 of the general fund--state appropriation for fiscal
18 year 2009, and \$118,000 of the general fund--federal appropriation are
19 provided solely for implementation of Substitute House Bill No. 1287
20 (foster children). If the bill is not enacted by June 30, 2007, the
21 amounts provided in this subsection shall lapse.

22 (17) \$50,000 of the general fund--state appropriation for fiscal
23 year 2008 is provided solely for the department to contract with the
24 Washington state institute for public policy to study evidence-based,
25 cost-effective programs and policies to reduce the likelihood of
26 children entering and remaining in the child welfare system, including
27 both prevention and intervention programs. If the department does not
28 receive \$100,000 in matching funds from a private organization for the
29 purpose of conducting this study, the amount provided in this
30 subsection shall lapse. The study shall be completed by April 30,
31 2008. The department shall cooperate with the institute in
32 facilitating access to data in their administrative systems. The board
33 of the Washington state institute for public policy may adjust the due
34 date for this project as necessary to efficiently manage workload.

35 (18) \$103,000 of the general fund--state appropriation for fiscal
36 year 2008, \$407,000 of the general fund--state appropriation for fiscal
37 year 2009, and \$48,000 of the general fund--federal appropriation are
38 provided solely for implementation of Engrossed Substitute House Bill

1 No. 1131 (passport to college). This includes funding to develop,
2 implement, and administer a program of educational transition planning
3 for youth in foster care as specified in the bill. If the bill is not
4 enacted by June 30, 2007, the amounts provided in this subsection shall
5 lapse.

6 (19) The department shall continue spending levels for continuum of
7 care in region one at the same level allotted during the 2005-2007
8 biennium.

9 (20) Within the amounts provided, the department shall develop and
10 implement a two-tiered reimbursement rate schedule for children from
11 birth through twenty-four months of age and children twenty-five months
12 of age through age five served by the medicaid treatment child care
13 program. The department shall work in collaboration with contracted
14 providers of the program to develop the rate schedule, taking into
15 consideration such factors as higher staff level and small group size
16 requirements for each age group. The department shall implement the
17 rate schedule no later than January 1, 2008, and neither reimbursement
18 rate in the two-tiered schedule shall be lower than the reimbursement
19 rate level from the 2007 fiscal year.

20 (21) \$60,000 of the general fund--state appropriation for fiscal
21 year 2008, \$20,000 of the general fund--state appropriation for fiscal
22 year 2009, and \$35,000 of the general fund--federal appropriation are
23 provided solely for implementation of Engrossed Substitute House Bill
24 No. 1624 (child welfare). If the bill is not enacted by June 30, 2007,
25 the amounts provided in this subsection shall lapse.

26 (22) \$49,000 of the general fund--state appropriation for fiscal
27 year 2008, \$24,000 of the general fund--state appropriation for fiscal
28 year 2009, and \$35,000 of the general fund--federal appropriation are
29 provided solely for the implementation of chapter 384, Laws of 2007.

30 (23) The department shall work with the exclusive bargaining
31 representative for the children's administration social workers to
32 prioritize social worker tasks and devise methods by which to alleviate
33 from the social workers' workload lower priority tasks. Discussions on
34 methods shall include the use of contracting services and home support
35 specialists. The department and the bargaining representative shall
36 jointly report their efforts to the appropriate committees of the
37 legislature by submitting a progress report no later than July 1, 2008,
38 and a final report by November 15, 2008.

1 (24) \$10,000 of the general fund--state appropriation for fiscal
2 year 2009 is provided solely for the department to contract with the
3 largest nonprofit organization in the state conducting education and
4 outreach on RCW 13.34.360, the safety of newborn children law.

5 (25) \$616,000 of the general fund--state appropriation for fiscal
6 year 2009 and \$184,000 of the general fund--federal appropriation are
7 provided solely to contract with medical professionals for
8 comprehensive safety assessments of high-risk families. The safety
9 assessments will use validated assessment tools to guide intervention
10 decisions through the identification of additional safety and risk
11 factors. \$400,000 of this amount is for comprehensive safety
12 assessments for families receiving in-home child protective services or
13 family voluntary services. \$400,000 of this amount is for
14 comprehensive safety assessments of families with an infant age birth
15 to fifteen days where the infant was, at birth, diagnosed as substance
16 exposed and the department received an intake referral related to the
17 infant due to the substance exposure.

18 (26) \$42,000 of the general fund--state appropriation for fiscal
19 year 2009 and \$29,000 of the general fund--federal appropriation are
20 provided solely for the department to implement Second Substitute
21 Senate Bill No. 6206 (child fatality). If the bill is not enacted by
22 June 30, 2008, the amounts provided in this subsection shall lapse.

23 (27) \$857,000 of the general fund--state appropriation for fiscal
24 year 2009 and \$140,000 of the general fund--federal appropriation are
25 provided solely for implementation of Engrossed Second Substitute House
26 Bill No. 3145 (foster parent licensing). If the bill is not enacted by
27 June 30, 2008, the amounts provided in this subsection shall lapse.

28 (28) \$415,000 of the general fund--state appropriation for fiscal
29 year 2008, \$469,000 of the general fund--state appropriation for fiscal
30 year 2009, and \$264,000 of the general fund--federal appropriation are
31 provided solely for the hiring of staff to expedite the phase-in of the
32 state's policy of a private and individual face-to-face visit each
33 month with children in out-of-home care and in-home dependencies and
34 their caregivers.

35 (29) \$109,000 of the general fund--state appropriation for fiscal
36 year 2009 and \$35,000 of the general fund--federal appropriation are
37 provided solely to implement sections 2 and 3 of Engrossed Second

1 Substitute House Bill No. 3205 (child long-term well-being). If the
2 bill is not enacted by June 30, 2008, the amounts provided in this
3 subsection shall lapse.

4 (30) The appropriations in this section provide specific funds to
5 implement Engrossed Substitute Senate Bill No. 6792 (dependency
6 matters).

7 (31) \$812,000 of the general fund--state appropriation for fiscal
8 year 2009 and \$256,000 of the general fund--federal appropriation are
9 provided solely for the department to hire additional staff to perform
10 child health education and tracking screens.

11 (32) \$1,829,000 of the general fund--state appropriation for fiscal
12 year 2009 and \$578,000 of the general fund--federal appropriation are
13 provided solely for the department to contract with ((nonprofit))
14 organizations to facilitate twice-monthly visits between siblings
15 living apart from each other in out-of-home care.

16 (33) The department shall not close any secure crisis residential
17 center facilities. The total number of statewide secure crisis
18 residential center beds is reduced from 63 to 44.

19 **Sec. 1103.** 2009 c 4 s 202 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**
22 **REHABILITATION PROGRAM**

23	General Fund--State Appropriation (FY 2008)	\$87,822,000
24	General Fund--State Appropriation (FY 2009)	((\$84,716,000))
25		<u>\$82,553,000</u>
26	General Fund--Federal Appropriation	((\$5,662,000))
27		<u>\$5,870,000</u>
28	General Fund--Private/Local Appropriation	\$1,898,000
29	Reinvesting in Youth--State Appropriation	\$1,414,000
30	Washington Auto Theft Prevention Authority Account--	
31	State Appropriation	\$171,000
32	Violence Reduction and Drug Enforcement Account--State	
33	Appropriation (FY 2008)	\$21,975,000
34	Violence Reduction and Drug Enforcement Account--State	
35	Appropriation (FY 2009)	\$22,078,000
36	Juvenile Accountability Incentive Account--Federal	
37	Appropriation	\$2,510,000

1	Pension Funding Stabilization Account--State	
2	Appropriation	\$2,200,000
3	TOTAL APPROPRIATION	(\$230,446,000)
4		<u>\$228,491,000</u>

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

7 (1) \$353,000 of the violence reduction and drug enforcement account
8 appropriation for fiscal year 2008 and \$353,000 of the violence
9 reduction and drug enforcement account appropriation for fiscal year
10 2009 are provided solely for deposit in the county criminal justice
11 assistance account for costs to the criminal justice system associated
12 with the implementation of chapter 338, Laws of 1997 (juvenile code
13 revisions). The amounts provided in this subsection are intended to
14 provide funding for county adult court costs associated with the
15 implementation of chapter 338, Laws of 1997 and shall be distributed in
16 accordance with RCW 82.14.310.

17 (2) \$3,078,000 of the violence reduction and drug enforcement
18 account appropriation and \$500,000 of the general fund--state
19 appropriation for fiscal year 2008 and \$3,078,000 of the violence
20 reduction and drug enforcement account appropriation and \$500,000 of
21 the general fund--state appropriation for fiscal year 2009 are provided
22 solely for the implementation of chapter 338, Laws of 1997 (juvenile
23 code revisions). The amounts provided in this subsection are intended
24 to provide funding for county impacts associated with the
25 implementation of chapter 338, Laws of 1997 and shall be distributed to
26 counties as prescribed in the current consolidated juvenile services
27 (CJS) formula.

28 (3) \$1,030,000 of the general fund--state appropriation and
29 \$2,686,000 of the violence reduction and drug enforcement account
30 appropriation for fiscal year 2008 and \$1,030,000 of the general fund--
31 state appropriation and \$2,686,000 of the violence reduction and drug
32 enforcement account appropriation for fiscal year 2009 are provided
33 solely to implement community juvenile accountability grants pursuant
34 to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided
35 in this subsection may be used solely for community juvenile
36 accountability grants, administration of the grants, and evaluations of
37 programs funded by the grants.

1 (4) \$1,506,000 of the violence reduction and drug enforcement
2 account appropriation for fiscal year 2008 and \$1,506,000 of the
3 violence reduction and drug enforcement account appropriation for
4 fiscal year 2009 are provided solely to implement alcohol and substance
5 abuse treatment programs for locally committed offenders. The juvenile
6 rehabilitation administration shall award these moneys on a competitive
7 basis to counties that submitted a plan for the provision of services
8 approved by the division of alcohol and substance abuse. The juvenile
9 rehabilitation administration shall develop criteria for evaluation of
10 plans submitted and a timeline for awarding funding and shall assist
11 counties in creating and submitting plans for evaluation.

12 (5) \$2,669,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$2,947,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for grants to county juvenile
15 courts for the following programs identified by the Washington state
16 institute for public policy (institute) in its October 2006 report:
17 "Evidence-Based Public Policy Options to Reduce Future Prison
18 Construction, Criminal Justice Costs and Crime Rates": Functional
19 family therapy, multi-systemic therapy, aggression replacement training
20 and interagency coordination programs or other programs with a positive
21 benefit-cost finding in the institute's report. County juvenile courts
22 shall apply to the juvenile rehabilitation administration for funding
23 for program-specific participation and the administration shall provide
24 grants to the courts consistent with the per-participant treatment
25 costs identified by the institute.

26 (6) \$1,287,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$787,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for expansion of the following
29 treatments and therapies in juvenile rehabilitation administration
30 programs identified by the Washington state institute for public policy
31 in its October 2006 report: "Evidence-Based Public Policy Options to
32 Reduce Future Prison Construction, Criminal Justice Costs and Crime
33 Rates": Multidimensional treatment foster care, family integrated
34 transitions and aggression replacement training. The administration
35 may concentrate delivery of these treatments and therapies at a limited
36 number of programs to deliver the treatments in a cost-effective
37 manner.

1 (7) The juvenile rehabilitation administration shall provide a
2 block grant, rather than categorical funding, of consolidated juvenile
3 services funds, community juvenile accountability act grants, the
4 chemically dependent disposition alternative, and the special sex
5 offender disposition to county juvenile courts, or groups of courts,
6 including the Pierce county juvenile court. The juvenile
7 rehabilitation administration and the family policy council shall
8 jointly write criteria for awarding and administering block grants to
9 county juvenile courts. In developing the criteria, the juvenile
10 rehabilitation administration and the family policy council shall seek
11 the advice of the Washington state institute for public policy. The
12 criteria shall address, but not be limited to:

13 (a) The selection of courts for participation in the block grant;

14 (b) The types of evidence-based programs and practices to which the
15 funds will be applied. The evidence-based programs and practices shall
16 either be consistent with those cost-beneficial options identified by
17 the Washington state institute for public policy in its October 2006
18 report: "Evidence-Based Public Policy Options to Reduce Future Prison
19 Construction, Criminal Justice Costs and Crime Rates," or be new
20 approaches that have the potential to demonstrate positive returns for
21 the taxpayer; and

22 (c) The protocols for participating courts to collect information
23 on the effectiveness of programs funded under the block grant,
24 including: (i) Developing intermediate client outcomes based on the
25 risk assessment tool currently used by juvenile courts and in
26 coordination with the juvenile rehabilitation administration; (ii)
27 reporting treatment outcomes including a process evaluation to the
28 juvenile rehabilitation administration and the family policy council by
29 June 20, 2008, and an outcome evaluation of recidivism and benefit-cost
30 results submitted within eighteen months of the initiation of the
31 treatment, when follow-up data are available. The courts shall develop
32 these evaluations in consultation with the juvenile rehabilitation
33 administration, the family policy council, and the Washington state
34 institute for public policy; and (iii) documenting the process for
35 managing block grant funds on a quarterly basis and provide this report
36 to the juvenile rehabilitation administration and the family policy
37 council.

1 (8) \$73,000 of the Washington auto theft prevention authority
2 account--state appropriation for fiscal year 2008 and \$98,000 of the
3 Washington auto theft prevention authority account--state appropriation
4 for fiscal year 2009 are provided solely for the implementation of
5 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the
6 bill is not enacted by June 30, 2007, the amounts provided in this
7 subsection shall lapse.

8 **Sec. 1104.** 2009 c 4 s 203 (uncodified) is amended to read as
9 follows:

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

12 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

13	General Fund--State Appropriation (FY 2008)	\$305,732,000
14	General Fund--State Appropriation (FY 2009)	(((\$308,382,000))
15		<u>\$298,118,000</u>
16	General Fund--Federal Appropriation	(((\$396,996,000))
17		<u>\$414,136,000</u>
18	General Fund--Private/Local Appropriation	(((\$16,157,000))
19		<u>\$18,732,000</u>
20	TOTAL APPROPRIATION	(((\$1,027,267,000))
21		<u>\$1,036,718,000</u>

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

24 (a) \$103,989,000 of the general fund--state appropriation for
25 fiscal year 2008 and \$122,119,000 of the general fund--state
26 appropriation for fiscal year 2009 are provided solely for persons and
27 services not covered by the medicaid program. Reductions to fiscal
28 year 2009 allocations shall be distributed proportionally to each
29 regional support network's percentage of the total state population.
30 To the extent possible, levels of regional support network spending
31 shall be maintained in the following priority order: (i) Crisis and
32 commitment services; (ii) community inpatient services; and (iii)
33 residential care services, including personal care and emergency
34 housing assistance.

35 (b) \$16,900,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$16,900,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the department and regional

1 support networks to contract for development and initial implementation
2 of high-intensity program for active community treatment (PACT) teams,
3 and other proven program approaches that the department concurs will
4 enable the regional support network to achieve significant reductions
5 during fiscal year 2008 and thereafter in the number of beds the
6 regional support network would otherwise need to use at the state
7 hospitals.

8 (c) The number of nonforensic beds allocated for use by regional
9 support networks at eastern state hospital shall be 222 per day
10 throughout fiscal year 2008. Beginning January 1, 2009, the number of
11 nonforensic beds allocated for use by regional support networks at
12 eastern state hospital shall be 192 per day. The number of nonforensic
13 beds allocated for use by regional support networks at western state
14 hospital shall be 777 per day during the first and second quarters of
15 fiscal year 2008, and 677 per day from January 2008 through August
16 2008. Beginning September 2008, the number of nonforensic beds
17 allocated for use by regional support networks at western state
18 hospital shall be 647 per day until May 2009, at which time the bed
19 allocation shall be 617 beds per day. Beginning January 2008, beds in
20 the program for adaptive living skills (PALS) are not included in the
21 preceding bed allocations. Beginning that month, the department shall
22 separately charge regional support networks for persons served in the
23 PALS program.

24 (d) From the general fund--state appropriations in this subsection,
25 the secretary of social and health services shall assure that regional
26 support networks reimburse the aging and disability services
27 administration for the general fund--state cost of medicaid personal
28 care services that enrolled regional support network consumers use
29 because of their psychiatric disability.

30 (e) At least \$902,000 of the federal block grant funding
31 appropriated in this subsection shall be used for the continued
32 operation of the mentally ill offender pilot program.

33 (f) \$5,000,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$5,000,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for mental health services for
36 mentally ill offenders while confined in a county or city jail and for
37 facilitating access to programs that offer mental health services upon
38 release from confinement. The department is authorized to transfer up

1 to \$418,000 of these amounts each fiscal year to the economic services
2 program for purposes of facilitating prompt access after their release
3 from confinement to medical and income assistance services for which
4 defendants and offenders may be eligible.

5 (g) \$1,500,000 of the general fund--state appropriation for fiscal
6 year 2008 and \$1,091,000 of the general fund--state appropriation for
7 fiscal year 2009 are provided solely for grants for innovative mental
8 health service delivery projects. Such projects may include, but are
9 not limited to, clubhouse programs and projects for integrated health
10 care and behavioral health services for general assistance recipients.
11 These amounts shall supplement, and not supplant, local or other
12 funding currently being used for activities funded under the projects
13 authorized in this subsection. The department shall not terminate
14 early any grant that was contracted under this subsection prior to
15 January 1, 2009, for the use of funds during fiscal year 2009.

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

21 (i) The department is authorized to continue to contract directly,
22 rather than through contracts with regional support networks, for
23 children's long-term inpatient facility services.

24 (j) \$2,250,000 of the general fund--state appropriation for fiscal
25 year 2008, \$2,250,000 of the general fund--state appropriation for
26 fiscal year 2009, and \$4,500,000 of the general fund--federal
27 appropriation are provided solely for the continued operation of
28 community residential and support services for persons who are older
29 adults or who have co-occurring medical and behavioral disorders and
30 who have been discharged or diverted from a state psychiatric hospital.
31 These funds shall be used to serve individuals whose treatment needs
32 constitute substantial barriers to community placement, who no longer
33 require active psychiatric treatment at an inpatient hospital level of
34 care, and who no longer meet the criteria for inpatient involuntary
35 commitment. Coordination of these services will be done in partnership
36 between the mental health program and the aging and disability services
37 administration.

1 (k) \$750,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$750,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to continue performance-based
4 incentive contracts to provide appropriate community support services
5 for individuals with severe mental illness who were discharged from the
6 state hospitals as part of the expanding community services initiative.
7 These funds will be used to enhance community residential and support
8 services provided by regional support networks through other state and
9 federal funding.

10 (l) \$135,000 of the general fund--state appropriation for fiscal
11 year 2008, \$2,961,000 of the general fund--state appropriation for
12 fiscal year 2009, and \$1,289,000 of the general fund--private/local
13 appropriation are provided solely to enable the department to contract
14 with Pierce county human services for the provision of community mental
15 health services to include crisis triage, evaluation and treatment, and
16 mobile crisis services. The legislature intends this to be one-time
17 funding while a replacement regional support network is being secured.
18 The department is authorized to reserve \$402,000 general fund--state
19 and \$201,000 general fund--local of these amounts for reasonable costs
20 incurred by Pierce county for the provision of mental health crisis and
21 related services that exceed reimbursement levels contracted by the
22 department. In order to receive these funds, Pierce county must
23 demonstrate to the department that the total cost of mental health
24 services provided by the county in accordance with formal agreements
25 has exceeded the revenues received from the department and third-party
26 payers for these services. The department shall determine the
27 documentation that is required.

28 (m) \$504,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$1,529,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely to reimburse Pierce and Spokane
31 counties for the cost of conducting 180-day commitment hearings at the
32 state psychiatric hospitals.

33 (n) \$750,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$1,500,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for the Spokane regional support
36 network to implement a comprehensive plan for reducing its utilization
37 of eastern state hospital. Key elements of the plan, which shall be
38 developed and implemented in consultation with and with the assistance

1 of the department, may include but shall not be limited to development
 2 of additional crisis triage, crisis stabilization, and evaluation and
 3 treatment beds; provision of housing assistance for high-utilizers of
 4 hospital and jail services who are at risk of homelessness;
 5 implementation of an intensive outpatient treatment team for persons
 6 with co-occurring disorders and other special needs; and delivery of
 7 respite care to assist elderly individuals avoid or return home after
 8 hospitalization. Spokane regional support network shall receive a
 9 proportional share of the fiscal year 2009 nonmedicaid rate reduction
 10 out of its base funding distribution.

11 (o) The department shall return to the Spokane regional support
 12 network fifty percent of the amounts assessed against the network
 13 during fiscal year 2009 for state hospital utilization in excess of its
 14 contractual limit. The regional support network shall use these funds
 15 for start-up and operation during its initial months of a new sixteen-
 16 bed evaluation and treatment facility that will enable the network to
 17 reduce its use of the state hospital.

18 (p) The department shall not reduce medicaid capitation rates below
 19 those in effect as of December 15, 2008.

20 (2) INSTITUTIONAL SERVICES

21	General Fund--State Appropriation (FY 2008)	\$138,340,000
22	General Fund--State Appropriation (FY 2009)	(((\$129,272,000))
23		<u>\$126,164,000</u>
24	General Fund--Federal Appropriation	(((\$145,552,000))
25		<u>\$148,501,000</u>
26	General Fund--Private/Local Appropriation	(((\$66,302,000))
27		<u>\$66,521,000</u>
28	Pension Funding Stabilization Account--State	
29	Appropriation	\$7,058,000
30	TOTAL APPROPRIATION	(((\$486,524,000))
31		<u>\$486,584,000</u>

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

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

37 (b) \$45,000 of the general fund--state appropriation for fiscal
 38 year 2008 and \$45,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for payment to the city of
2 Lakewood for police services provided by the city at western state
3 hospital and adjacent areas.

4 (c) \$18,575,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$9,675,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely to operate on a temporary basis
7 five additional adult civil commitment wards at the state psychiatric
8 hospitals. The legislature intends for these wards to close, on a
9 phased basis, during the 2007-09 biennium as a result of targeted
10 investments in community services for persons who would otherwise need
11 care in the hospitals.

12 (d) \$125,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$125,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for safety training and for
15 protective equipment for staff at eastern and western state hospitals.
16 Protective equipment shall include shields, helmets, gloves, and body
17 protection.

18 (e) \$304,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$231,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for a community partnership
21 between western state hospital and the city of Lakewood to support
22 community policing efforts in the Lakewood community surrounding
23 western state hospital. The amounts provided in this subsection (2)(e)
24 are for the salaries, benefits, supplies, and equipment for one full-
25 time investigator, one full-time police officer, and one full-time
26 community service officer at the city of Lakewood.

27 (f) \$133,000 of the general fund--state appropriation for fiscal
28 year 2008 and \$2,145,000 of the general fund--state appropriation for
29 fiscal year 2009 are provided solely to pilot a direct care nurse
30 staffing plan for two high incident wards at eastern state hospital and
31 four high incident wards at western state hospital. The pilot provides
32 funding to fully staff registered nurses, licensed practical nurses,
33 and mental health technicians in accordance with the state psychiatric
34 hospitals direct care staffing review and recommendations. The
35 department shall have the authority to fill the positions with any mix
36 of these direct care nursing staff so long as a good faith effort is
37 made to first hire and recruit positions in accordance with the direct

1 care nurse staffing plan. The department shall monitor outcomes for
2 improved patient and staff safety and provide a written report to the
3 legislature by October 1, 2009.

4 (g) \$617,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$334,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely to cover additional operating
7 costs related to the October 11, 2007, laundry fire at western state
8 hospital.

9 (3) SPECIAL PROJECTS

10	General Fund--State Appropriation (FY 2008)	\$1,892,000
11	General Fund--State Appropriation (FY 2009)	\$2,269,000
12	General Fund--Federal Appropriation	\$3,276,000
13	TOTAL APPROPRIATION	\$7,437,000

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

16 (a) \$877,000 of the general fund--state appropriation for fiscal
17 year 2008, \$1,189,000 of the general fund--state appropriation for
18 fiscal year 2009, and \$140,000 of the general fund--federal
19 appropriation are provided solely for implementation of sections 4, 7,
20 10, and other provisions of Second Substitute House Bill No. 1088
21 (children's mental health). If the bill is not enacted by June 30,
22 2007, the amounts provided in this subsection shall lapse. Funds are
23 also appropriated in sections 207 and 209 of this act for
24 implementation of 5, 8, and 11 of Second Substitute House Bill No.
25 1088.

26 (b) \$80,000 of the general fund--state appropriation for fiscal
27 year 2009 and \$80,000 of the general fund--federal appropriation are
28 provided solely as one-time funding to make available a mental health
29 train the trainer first aid course consisting of twelve hours of
30 instruction based upon a program created by the department of
31 psychiatry, University of Melbourne in Australia. The course will
32 provide training to members of the public related to: (i) Giving
33 appropriate initial help and support to a person suffering from a
34 mental disorder and responding to mental health crisis situations; and
35 (ii) depression, anxiety disorders, psychosis, and substance use
36 disorder, including recognizing symptoms, possible causes or risk
37 factors, and evidenced-based treatment options. Participants in the
38 first aid course will train others to provide the training.

1 (4) PROGRAM SUPPORT

2	General Fund--State Appropriation (FY 2008)	\$4,966,000
3	General Fund--State Appropriation (FY 2009)	(\$4,500,000)
4		<u>\$4,477,000</u>
5	General Fund--Federal Appropriation	(\$7,557,000)
6		<u>\$7,580,000</u>
7	TOTAL APPROPRIATION	\$17,023,000

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

10 (a) \$125,000 of the general fund--state appropriation for fiscal
11 year 2008, \$125,000 of the general fund--state appropriation for fiscal
12 year 2009, and \$164,000 of the general fund--federal appropriation are
13 provided solely for the institute for public policy to continue the
14 longitudinal analysis directed in chapter 334, Laws of 2001 (mental
15 health performance audit), to build upon the evaluation of the impacts
16 of chapter 214, Laws of 1999 (mentally ill offenders), and to assess
17 program outcomes and cost effectiveness of the children's mental health
18 pilot projects as required by chapter 372, Laws of 2006.

19 (b) \$100,000 of the general fund--state appropriation for fiscal
20 year 2009 is provided solely for the department to contract with a
21 facilitator to coordinate a review and make recommendations on:

22 (i) Ward sizes at eastern and western state hospitals and patient
23 case mix by ward;

24 (ii) Discharge practices for state hospitals to include the child
25 and study treatment center; and

26 (iii) Community placements to include placements for adults and
27 children.

28 By October 15, 2008, the department shall provide to the
29 legislature recommendations for system improvement to include a
30 cost/benefit analysis. The department shall include representation
31 from regional support networks in the review and development of
32 recommendations for discharge practices and community placements.

33 **Sec. 1105.** 2009 c 4 s 204 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**
36 **DISABILITIES PROGRAM**

1	(1) COMMUNITY SERVICES	
2	General Fund--State Appropriation (FY 2008)	\$348,327,000
3	General Fund--State Appropriation (FY 2009)	(\$362,407,000)
4		<u>\$343,503,000</u>
5	General Fund--Federal Appropriation	(\$653,802,000)
6		<u>\$693,402,000</u>
7	Health Services Account--State Appropriation (FY 2008)	\$452,000
8	Health Services Account--State Appropriation (FY 2009)	\$452,000
9	TOTAL APPROPRIATION	(\$1,365,440,000)
10		<u>\$1,386,136,000</u>

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

13 (a) The entire health services account appropriation, \$615,000 of
14 the general fund--state appropriation for fiscal year 2008, \$892,000 of
15 the general fund--state appropriation for fiscal year 2009, and
16 \$2,546,011 of the general fund--federal appropriation are provided
17 solely for health care benefits for agency home care workers who are
18 employed through state contracts for at least twenty hours a week. The
19 state contribution to the cost of health care benefits per
20 participating worker per month shall be no greater than \$532.00 in
21 fiscal year 2008 and \$585.00 in fiscal year 2009.

22 (b) Individuals receiving family support or high school transition
23 payments as supplemental security income (SSI) state supplemental
24 payments shall not become eligible for medical assistance under RCW
25 74.09.510 due solely to the receipt of SSI state supplemental payments.

26 (c) \$4,903,000 of the general fund--state appropriation for fiscal
27 year 2008, \$9,295,000 of the general fund--state appropriation for
28 fiscal year 2009, and \$15,016,000 of the general fund--federal
29 appropriation are provided solely for community residential and support
30 services. Funding in this subsection shall be prioritized for (i)
31 residents of residential habilitation centers who are able to be
32 adequately cared for in community settings and who choose to live in
33 those community settings; (ii) clients without residential services who
34 are at immediate risk of institutionalization or in crisis; (iii)
35 children who are at risk of institutionalization or who are aging out
36 of other state services; and (iv) current home and community-based
37 waiver program clients who have been assessed as having an immediate
38 need for increased services. First priority shall be given to children

1 who are at risk of institutionalization. The department shall ensure
2 that the average cost per day for all program services other than
3 start-up costs shall not exceed \$300. In order to maximize the number
4 of clients served and ensure the cost-effectiveness of the waiver
5 programs, the department will strive to limit new client placement
6 expenditures to 90 percent of the budgeted daily rate. If this can be
7 accomplished, additional clients may be served with excess funds,
8 provided the total projected carry-forward expenditures do not exceed
9 the amounts estimated. The department shall electronically report to
10 the appropriate committees of the legislature, within 45 days following
11 each fiscal year quarter, the number of persons served with these
12 additional community services, where they were residing, what kinds of
13 services they were receiving prior to placement, and the actual
14 expenditures for all community services to support these clients.

15 (d) \$2,399,000 of the general fund--state appropriation for fiscal
16 year 2008, \$5,961,000 of the general fund--state appropriation for
17 fiscal year 2009, and \$8,849,000 of the general fund--federal
18 appropriation are provided solely for expanded community services for
19 persons with developmental disabilities who also have community
20 protection issues. Funding in this subsection shall be prioritized for
21 (i) clients being diverted or discharged from the state psychiatric
22 hospitals; (ii) clients participating in the dangerous mentally ill
23 offender program; (iii) clients participating in the community
24 protection program; and (iv) mental health crisis diversion
25 outplacements. The department shall ensure that the average cost per
26 day for all program services other than start-up costs shall not exceed
27 \$349 in fiscal year 2008 and \$356 in fiscal year 2009. In order to
28 maximize the number of clients served and ensure the cost-
29 effectiveness of the waiver programs, the department will strive to
30 limit new client placement expenditures to 90 percent of the budgeted
31 daily rate. If this can be accomplished, additional clients may be
32 served with excess funds if the total projected carry-forward
33 expenditures do not exceed the amounts estimated. The department shall
34 implement the four new waiver programs such that decisions about
35 enrollment levels and the amount, duration, and scope of services
36 maintain expenditures within appropriations. The department shall
37 electronically report to the appropriate committees of the legislature,
38 within 45 days following each fiscal year quarter, the number of

1 persons served with these additional community services, where they
2 were residing, what kinds of services they were receiving prior to
3 placement, and the actual expenditures for all community services to
4 support these clients.

5 (e) \$13,198,000 of the general fund--state appropriation for fiscal
6 year 2008, \$16,354,000 of the general fund--state appropriation for
7 fiscal year 2009, and \$8,579,000 of the general fund--federal
8 appropriation are provided solely for family support programs for
9 individuals with developmental disabilities. Of the amounts provided
10 in this subsection (e), \$696,000 of the general fund--state
11 appropriation for fiscal year 2008 and \$3,852,000 of the general fund--
12 state appropriation for fiscal year 2009 are for state-only services
13 for individuals with developmental disabilities, as described in Second
14 Substitute Senate Bill No. 5467 (developmental disabilities). By
15 January 1, 2008, and by November 1, 2008, the department shall provide
16 a status report to the appropriate policy and fiscal committees of the
17 legislature on the individual and family services program for people
18 with developmental disabilities, which shall include the following
19 information: The number of applicants for funding; the total number of
20 awards; the number and amount of both annual and one-time awards,
21 broken down by household income levels; and the purpose of the awards.

22 (f) \$1,692,000 of the general fund--state appropriation for fiscal
23 year 2008, \$3,645,000 of the general fund--state appropriation for
24 fiscal year 2009, and \$2,397,000 of the general fund--federal
25 appropriation are provided solely for employment and day services.
26 Priority consideration for this new funding shall be young adults with
27 developmental disabilities living with their family who need employment
28 opportunities and assistance after high school graduation. Services
29 shall be provided for both waiver and nonwaiver clients. The
30 legislature finds that some waiver clients are not receiving employment
31 services that are authorized under their waivers. Within the amounts
32 appropriated in this section, waiver clients must receive services as
33 authorized by their waiver, such as pathway to employment, while
34 waiting for paid employment to be developed. The department shall work
35 with the counties to establish a consistent proposed policy for minimum
36 direct service hours for clients, minimum hours of support, time frames
37 for seeking paid employment, and services provided under pathway to
38 employment while paid employment is sought. The department shall

1 report to the office of financial management and the appropriate
2 committees of the legislature on this proposal by November 1, 2008,
3 including estimated fiscal impacts and an option for making the policy
4 budget neutral for the current level of clients served. In order to
5 maximize the number of clients served, the department may serve
6 additional nonwaiver clients with unspent funds for waiver clients,
7 provided the total projected carry-forward expenditures do not exceed
8 the amounts estimated.

9 (g) \$160,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$140,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely for the implementation of Second
12 Substitute Senate Bill No. 5467 (developmental disabilities). If the
13 bill is not enacted by June 30, 2007, the amounts provided in this
14 subsection shall lapse.

15 (h)(i) Amounts appropriated in this subsection are sufficient to
16 increase provider payment rates by 6.0 percent for boarding homes,
17 effective July 1, 2007, including those currently receiving exceptional
18 care rates; and by 3.2 percent, effective July 1, 2007, for adult
19 family homes, including those currently receiving exceptional care
20 rates.

21 (ii) The department shall implement phase one of full
22 implementation of a seventeen CARE level payment system for community
23 residential providers. Amounts appropriated in this section are
24 sufficient to increase adult family home provider payment rates on
25 average, effective July 1, 2008, including those currently receiving
26 exceptional care rates, and to adjust adult family home rates for the
27 first phase of a seventeen CARE level payment system. Effective July
28 1, 2008, the provider payment rate allocation for boarding homes
29 contracted as assisted living shall be the provider's June 30, 2008,
30 payment rate allocation, and the provider payment rate for boarding
31 homes contracted as ARCs and EARCs shall be adjusted to reflect phase
32 one of a seventeen CARE level payment system. This will be in effect
33 until such time as the rates are consistent between adult family homes
34 and boarding homes for delivery of the same patient care levels.

35 (iii) Amounts provided in this section and in section 206 of this
36 act are sufficient to assist adult family home providers with the cost
37 of paying liability insurance.

1 (i) (~~(\$921,000)~~) \$494,000 of the general fund--state appropriation
2 for fiscal year 2009 and (~~(\$963,000)~~) \$518,000 of the general fund--
3 federal appropriation are provided solely for the development and
4 implementation of a federal home and community-based care waiver to
5 provide intensive behavior support services to up to one hundred
6 children with developmental disabilities who have intense behaviors,
7 and their families.

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

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

27 (j) \$1,000,000 of the general fund--state appropriation for fiscal
28 year 2008 is provided solely for the purpose of settling all claims in
29 the *Washington Federation of State Employees, et. al v. State of*
30 *Washington*, Thurston County Superior Court Cause No. 05-2-02422-4. The
31 expenditure of this appropriation is contingent on the release of all
32 claims in this case, and total settlement costs shall not exceed the
33 appropriation in this subsection (j). If settlement is not executed by
34 June 30, 2008, the appropriation in this subsection (j) shall lapse.

35 (k) Within the amounts appropriated in this section, the department
36 shall review current infant-toddler early intervention services
37 statewide and report to the office of financial management by November
38 1, 2008, and the appropriate committees of the legislature on a

1 recommended consistent funding approach per child for the 2009-11
2 biennium, recognizing the new level of funding anticipated by school
3 district participation. The recommendations must also include a budget
4 neutral option for the current level of clients served.

5 (l) \$325,000 of the general fund--state appropriation for fiscal
6 year 2009 is provided solely for state-only employment services for
7 young adults with developmental disabilities who need employment
8 opportunities and assistance after high school graduation.

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

19 ~~(n) ((Within the amounts appropriated in this subsection (l), the
20 department shall define in-home personal care services to include a
21 client's ability to manage their personal care worker as identified by
22 characteristics in the functional assessment. Clients whose
23 assessments demonstrate they are able to manage their own plan of care
24 are not eligible for personal care through a home care agency. The
25 department shall adopt rules to implement this section.~~

26 ~~(o) The department shall not reduce and shall continue to provide
27 adult day health services.))~~

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

32
33 (2) INSTITUTIONAL SERVICES

34	General Fund--State Appropriation (FY 2008)	\$80,469,000
35	General Fund--State Appropriation (FY 2009)	(((\$69,825,000))
36		<u>\$65,359,000</u>
37	General Fund--Federal Appropriation	(((\$179,338,000))
38		<u>\$184,387,000</u>
39	General Fund--Private/Local Appropriation	(((\$21,629,000))

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

3 (1) As part of the needs assessment instrument, the department
4 shall collect data on family income for minor children with
5 developmental disabilities and all individuals who are receiving
6 state-only funded services. The department shall ensure that this
7 information is collected as part of the client assessment process.

8 (2) In addition to other reductions, the reduced appropriations in
9 this section reflect an additional \$399,000 reduction in administrative
10 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
11 state government administrative costs). These administrative
12 reductions shall be achieved, to the greatest extent possible, by
13 reducing those administrative costs that do not affect direct client
14 services or direct service delivery or programs.

15 (4) SPECIAL PROJECTS

16	General Fund--State Appropriation (FY 2008)	\$17,000
17	General Fund--State Appropriation (FY 2009)	\$15,000
18	General Fund--Federal Appropriation	(\$16,809,000)
19		<u>\$21,033,000</u>
20	TOTAL APPROPRIATION	(\$16,841,000)
21		<u>\$21,065,000</u>

22 **Sec. 1106.** 2009 c 4 s 205 (uncodified) is amended to read as
23 follows:

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

26	General Fund--State Appropriation (FY 2008)	\$700,332,000
27	General Fund--State Appropriation (FY 2009)	(\$707,293,000)
28		<u>\$655,024,000</u>
29	General Fund--Federal Appropriation	(\$1,569,912,000)
30		<u>\$1,628,163,000</u>
31	General Fund--Private/Local Appropriation	\$19,525,000
32	Pension Funding Stabilization Account--State	
33	Appropriation	\$1,448,000
34	Health Services Account--State Appropriation (FY 2008) . . .	\$2,444,000
35	Health Services Account--State Appropriation (FY 2009) . . .	\$2,444,000
36	Traumatic Brain Injury Account--State Appropriation	\$1,212,000
37	TOTAL APPROPRIATION	(\$3,004,610,000)

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

(1) The entire health services account appropriation, \$10,456,000 of the general fund--state appropriation for fiscal year 2008, \$11,370,000 of the general fund--state appropriation for fiscal year 2009, and \$26,778,000 of the general fund--federal appropriation are provided solely for health care benefits for agency home care workers who are employed through state contracts for at least twenty hours a week. The state contribution to the cost of health care benefits per eligible participating worker per month shall be no greater than \$532.00 in fiscal year 2008 and \$585.00 per month in fiscal year 2009.

(2)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$159.34 for fiscal year 2008 and shall not exceed ((~~\$163.72~~)) \$164.85 for fiscal year 2009, including the rate add-on described in subsection (9) of this section. For all nursing facilities, the direct care, therapy care, support services, and operations component rates established in accordance with chapter 74.46 RCW shall be adjusted for economic trends and conditions by 3.2 percent effective July 1, 2007, and by 1.99 percent effective July 1, 2008.

(b) \$1,835,000 of the general fund--state appropriation for fiscal year 2009 and \$2,574,000 of the general fund--federal appropriation are provided solely for restoration of the statewide weighted average nursing facility payment rate up to the payment rate specified in (a) of this subsection.

(3) In accordance with chapter 74.46 RCW, the department shall issue certificates of capital authorization that result in up to \$16,000,000 of increased asset value completed and ready for occupancy in fiscal year 2008; up to \$16,000,000 of increased asset value completed and ready for occupancy in fiscal year 2009(~~(+ and up to \$16,000,000 of increased asset value completed and ready for occupancy in fiscal year 2010)~~)).

~~((4) Adult day health services shall not be considered a duplication of services for persons receiving care in long term care settings licensed under chapter 18.20, 72.36, or 70.128 RCW. The department shall not reduce and shall continue to provide adult day health services.))~~

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

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

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

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

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

18 (6) \$1,840,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$1,877,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for operation of the volunteer
21 chore services program.

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

28 (8) \$125,000 of the general fund--state appropriation for fiscal
29 year 2008, \$125,000 of the general fund--state appropriation for fiscal
30 year 2009, and \$250,000 of the general fund--federal appropriation are
31 provided solely for the implementation of Engrossed Second Substitute
32 Senate Bill No. 5930 (blue ribbon commission on health care). If the
33 bill is not enacted by June 30, 2007, the amounts provided in this
34 subsection shall lapse.

35 (9) \$3,000,000 of the general fund--state appropriation for fiscal
36 year 2009 and \$3,134,000 of the general fund--federal appropriation are
37 provided solely to increase compensation for low-wage workers in
38 nursing homes beginning July 1, 2008. Within the funds provided, the

1 department shall provide an add-on per resident day per facility based
2 on the total funding divided by the total number of fiscal year 2009
3 medicaid patient days as forecasted by the caseload forecast council,
4 not to exceed \$1.57. The department may reduce the level of add-on if
5 necessary to fit within this appropriation if the caseload forecasted
6 days increase from the February 2008 forecast. The add-on shall be
7 used to increase wages, benefits, and/or staffing levels for certified
8 nurse aides; or to increase wages and/or benefits for dietary aides,
9 housekeepers, laundry aides, or any other category of worker whose
10 statewide average dollars-per-hour wage was less than \$15 in calendar
11 year 2006, according to cost report data. The add-on may also be used
12 to address resulting wage compression for related job classes
13 immediately affected by wage increases to low-wage workers. The
14 department shall implement reporting requirements and a settlement
15 process to ensure that the funds are spent according to this
16 subsection. The department shall adopt rules to implement the terms of
17 this subsection.

18 (10) Within amounts appropriated in this section, the department is
19 authorized to expand the number of boarding homes and adult family
20 homes that receive exceptional care rates for persons with Alzheimer's
21 disease and related dementias who might otherwise require nursing home
22 care. The department may expand the number of licensed boarding home
23 facilities that specialize in caring for such conditions by up to 100
24 beds. Effective July 1, 2008, the department shall be authorized to
25 provide adult family homes that specialize in caring for such
26 conditions with exceptional care rates for up to 50 beds. The
27 department will develop standards for adult family homes to qualify for
28 such exceptional care rates in order to enhance consumer choice.

29 (11) \$1,212,000 of the traumatic brain injury account--state
30 appropriation is provided solely for the implementation of Second
31 Substitute House Bill No. 2055 (traumatic brain injury). If the bill
32 is not enacted by June 30, 2007, the amount provided in this subsection
33 shall lapse.

34 (12)(a) Amounts appropriated in this section are sufficient to
35 increase provider payment rates by 6.0 percent for boarding homes,
36 effective July 1, 2007, including those currently receiving exceptional
37 care rates; and by 3.2 percent, effective July 1, 2007, for adult

1 family homes, including those currently receiving exceptional care
2 rates.

3 (b) The department shall implement phase one of full implementation
4 of a seventeen CARE level payment system for community residential
5 providers. Amounts appropriated in this section are sufficient to
6 increase adult family home provider payment rates on average, effective
7 July 1, 2008, including those currently receiving exceptional care
8 rates, and to adjust adult family home rates for the first phase of a
9 seventeen CARE level payment system. Effective July 1, 2008, the
10 provider payment rate allocation for boarding homes contracted as
11 assisted living shall be the provider's June 30, 2008, payment rate
12 allocation, and the provider payment rate for boarding homes contracted
13 as ARCs and EARCs shall be adjusted to reflect phase one of a seventeen
14 CARE level payment system. This will be in effect until such time as
15 the rates are consistent between adult family homes and boarding homes
16 for delivery of the same patient care levels.

17 (c) Amounts provided in this section and in section 205 of this act
18 are sufficient to assist adult family home providers with the cost of
19 paying liability insurance.

20 (13) The department shall contract for housing with service models,
21 such as cluster care, to create efficiencies in service delivery and
22 responsiveness to unscheduled personal care needs by clustering hours
23 for clients that live in close proximity to each other.

24 (14) \$2,463,000 of the general fund--state appropriation for fiscal
25 year 2009 and \$1,002,000 of the general fund--federal appropriation are
26 provided solely to implement sections 4 and 8 of Engrossed Second
27 Substitute House Bill No. 2668 (long-term care programs). If the bill
28 is not enacted by June 30, 2008, the amounts provided in this
29 subsection shall lapse.

30 (15) \$40,000 of the general fund--state appropriation for fiscal
31 year 2009 and \$40,000 of the general fund--federal appropriation are
32 provided solely to implement Second Substitute Senate Bill No. 6220
33 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute
34 House Bill No. 2668 (long-term care programs). If neither bill is
35 enacted by June 30, 2008, the amounts provided in this subsection shall
36 lapse.

37 (16) Within the funds appropriated in the section, the department
38 shall establish one statewide hourly rate to reimburse home care

1 agencies for the costs related to state clients for hours worked by
2 direct care workers in receiving mandatory training. The statewide
3 hourly rate shall be based on the hourly wage paid to individual
4 providers plus mandatory taxes plus an adjustment based on the formula
5 created under RCW 74.39A.310.

6 (17) ~~((Within the amounts appropriated in this section, the
7 department shall define in-home personal care services to include a
8 client's ability to manage their personal care worker as identified by
9 characteristics in the functional assessment. Clients whose
10 assessments demonstrate they are able to manage their own plan of care
11 are not eligible for personal care through a home care agency. The
12 department shall adopt rules to implement this section))~~ The department
13 shall not pay a home care agency licensed under chapter 70.127 RCW for
14 personal care services provided by a family member pursuant to
15 Substitute House Bill No. 2361 (modifying state payments for in-home
16 care).

17 (18) In addition to other reductions, the reduced appropriations in
18 this section reflect an additional \$1,002,000 reduction in
19 administrative costs required by Engrossed Substitute Senate Bill No.
20 5460 (reducing state government administrative costs). These
21 administrative reductions shall be achieved, to the greatest extent
22 possible, by reducing those administrative costs that do not affect
23 direct client services or direct service delivery or programs.

24 (19) Adult day health services shall only be authorized for clients
25 in nonresidential settings.

26 **Sec. 1107.** 2009 c 4 s 206 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**
29 **PROGRAM**

30	General Fund--State Appropriation (FY 2008)	\$586,369,000
31	General Fund--State Appropriation (FY 2009)	(\$464,586,000)
32		<u>\$467,807,000</u>
33	General Fund--Federal Appropriation	(\$1,168,223,000)
34		<u>\$1,219,837,000</u>
35	General Fund--Private/Local Appropriation	\$33,233,000
36	Pension Funding Stabilization Account--State	
37	Appropriation	\$4,592,000

1 TOTAL APPROPRIATION ((~~\$2,257,003,000~~))
2 \$2,311,838,000

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

5 (1) \$344,694,000 of the general fund--state appropriation for
6 fiscal year 2008, (~~(\$362,304,000)~~) \$218,162,000 of the general fund--
7 state appropriation for fiscal year 2009, and (~~(\$733,276,000)~~)
8 \$505,967,000 of the general fund--federal appropriation are provided
9 solely for all components of the WorkFirst program. Within the amounts
10 provided for the WorkFirst program, the department may provide
11 assistance using state-only funds for families eligible for temporary
12 assistance for needy families. Within the amounts provided for the
13 WorkFirst program, the department shall:

- 14 (a) Establish a career services work transition program;
- 15 (b) Continue to implement WorkFirst program improvements that are
16 designed to achieve progress against outcome measures specified in RCW
17 74.08A.410. Outcome data regarding job retention and wage progression
18 shall be reported quarterly to appropriate fiscal and policy committees
19 of the legislature for families who leave assistance, measured after 12
20 months, 24 months, and 36 months. The department shall also report the
21 percentage of families who have returned to temporary assistance for
22 needy families after 12 months, 24 months, and 36 months;
- 23 (c) Submit a report by October 1, 2007, to the fiscal committees of
24 the legislature containing a spending plan for the WorkFirst program.
25 The plan shall identify how spending levels in the 2007-2009 biennium
26 will be adjusted to stay within available federal grant levels and the
27 appropriated state-fund levels;
- 28 (d) Provide quarterly fiscal reports to the office of financial
29 management and the legislative fiscal committees detailing information
30 on the amount expended from general fund--state and general fund--
31 federal by activity;
- 32 (e) For fiscal year 2009, increase the temporary assistance for
33 needy families grant standard by three percent to account for increased
34 housing costs.

35 (2) Up to \$250,000 of the general fund--state appropriation for
36 fiscal year 2008 and \$250,000 of the general fund--state appropriation
37 for fiscal year 2009 of the amounts in subsection (1) of this section
38 are for the WorkFirst pathway to engagement program. The department

1 shall collaborate with community partners and represented staff to
2 identify additional services needed for WorkFirst clients in sanction
3 status. The department shall contract with qualified community-based
4 organizations to deliver such services, provided that such services are
5 complimentary to the work of the department and are not intended to
6 supplant existing staff or services. The department shall also
7 contract with community-based organizations for the provision of
8 services for WorkFirst clients who have been terminated after six
9 months of sanction. Contracts established pursuant to this subsection
10 shall have a performance-based component and shall include both
11 presanction termination and postsanction termination services. Clients
12 shall be able to choose whether or not to accept the services. The
13 department shall develop outcome measures for the program related to
14 outreach and reengagement, reduction of barriers to employment, and
15 client feedback and satisfaction. Nothing in this subsection is
16 intended to modify a collective bargaining agreement under chapter
17 41.80 RCW or to change the state's responsibility under chapter 41.80
18 RCW. The department shall report to the appropriate policy and fiscal
19 committees of the legislature by December 1, 2007, on program
20 implementation and outcomes. The department also shall report on
21 implementation of specialized caseloads for clients in sanction status,
22 including average caseload size, referral process and criteria, and
23 expected outcomes for specialized caseloads.

24 (3) \$210,000 of the general fund--state appropriation for fiscal
25 year 2008, \$187,000 of the general fund--state appropriation for fiscal
26 year 2009, and \$396,000 of the general fund--federal appropriation are
27 provided solely for implementation of section 8 of Second Substitute
28 House Bill No. 1088 (children's mental health). If the bill is not
29 enacted by June 30, 2007, the amounts provided in this subsection shall
30 lapse.

31 (4) \$152,000 of the general fund--state appropriation for fiscal
32 year 2008, \$96,000 of the general fund--state appropriation for fiscal
33 year 2009, and \$482,000 of the general fund--federal appropriation are
34 provided solely for implementation of Second Substitute House Bill No.
35 1009 (child support schedule). If the bill is not enacted by June 30,
36 2007, the amounts provided in this subsection shall lapse.

37 (5) \$750,000 of the general fund--state appropriation for fiscal
38 year 2008 and \$750,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely to increase naturalization
2 services. These amounts shall supplement and not supplant state and
3 federal resources currently provided by the department for this
4 purpose.

5 (6) \$1,500,000 of the general fund--state appropriation for fiscal
6 year 2008 and \$1,500,000 of the general fund--state appropriation for
7 fiscal year 2009 are provided solely to increase limited English
8 proficiency pathway services. These amounts shall supplement and not
9 supplant state and federal resources currently provided by the
10 department for this purpose.

11 (7) \$250,000 of the general fund--state appropriation for fiscal
12 year 2008, \$5,782,000 of the general fund--state appropriation for
13 fiscal year 2009, and \$6,431,000 of the general fund--federal
14 appropriation are provided solely for implementation of Substitute
15 Senate Bill No. 5244 (deficit reduction act). If the bill is not
16 enacted by June 30, 2007, the amounts provided in this subsection shall
17 lapse.

18 (8) Within amounts appropriated in this section, the department
19 shall: (a) Increase the state supplemental payment by \$1.77 per month
20 beginning July 1, 2007, and by an additional \$1.83 per month beginning
21 July 1, 2008, for SSI clients who reside in nursing facilities,
22 residential habilitation centers, or state hospitals and who receive a
23 personal needs allowance; and (b) decrease other state supplemental
24 payments.

25 (9) \$100,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$100,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely to the department for the data
28 tracking provisions specified in sections 701 and 702 of Second
29 Substitute Senate Bill No. 5470 (dissolution proceedings). If the
30 bill is not enacted by June 30, 2007, the amounts provided in this
31 subsection shall lapse.

32 (10) \$1,552,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$1,552,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely for implementation of Second
35 Substitute Senate Bill No. 6016 (workfirst program). If the bill is
36 not enacted by June 30, 2007, the amounts provided in this subsection
37 shall lapse.

1 (11) \$50,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$50,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to the department to award grants
4 to small mutual assistance associations or small community-based
5 organizations that contract with the department for immigrant and
6 refugee assistance services. The funds shall be awarded to demonstrate
7 the impact of providing funding for a case worker in the community
8 organization on the refugees' economic self-sufficiency through the
9 effective use of social services, and financial and medical assistance.

10 (12) \$50,000 of the general fund--state appropriation for fiscal
11 year 2009 is provided solely for implementation of Second Substitute
12 Senate Bill No. 6483 (local food production). If the bill is not
13 enacted by June 30, 2008, the amount provided in this subsection shall
14 lapse.

15 (13) \$1,100,000 of the general fund--state appropriation for fiscal
16 year 2009 and \$850,000 of the general fund--federal appropriation are
17 provided solely to increase the gross income limits for eligibility for
18 programs authorized under RCW 74.04.500 and 74.08A.120 to 200 percent
19 of the federal poverty level. The department shall adjust its rules
20 and information technology systems to make the eligibility change
21 effective October 1, 2008.

22 (14) The department, in conjunction with the House Bill No. 1290
23 work group, shall identify and analyze barriers preventing city,
24 county, and state referrals of persons potentially eligible for
25 expedited application processing authorized under RCW 74.09.555. The
26 department, in conjunction with the House Bill No. 1290 work group,
27 shall report its findings and recommendations to the appropriate
28 committees of the legislature no later than November 15, 2008.

29 (15) \$656,000 of the general fund--state appropriation for fiscal
30 year 2009 is provided solely to the department to increase immigration
31 and naturalization services. These funds shall not supplant state and
32 federal resources currently provided by the department for this
33 purpose.

34 (16) The department shall not increase the child care copayment for
35 families above 82 percent of the federal poverty level.

36 (17) In addition to other reductions, the reduced appropriations in
37 this section reflect an additional \$516,000 reduction in administrative
38 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing

1 state government administrative costs). These administrative
2 reductions shall be achieved, to the greatest extent possible, by
3 reducing those administrative costs that do not affect direct client
4 services or direct service delivery or programs.

5 **Sec. 1108.** 2009 c 4 s 207 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**
8 **SUBSTANCE ABUSE PROGRAM**

9	General Fund--State Appropriation (FY 2008)	\$69,252,000
10	General Fund--State Appropriation (FY 2009)	(\$54,049,000)
11		<u>\$55,324,000</u>
12	General Fund--Federal Appropriation	(\$168,949,000)
13		<u>\$177,314,000</u>
14	General Fund--Private/Local Appropriation	\$6,083,000
15	Criminal Justice Treatment Account--State	
16	Appropriation	\$18,555,000
17	Violence Reduction and Drug Enforcement Account--State	
18	Appropriation (FY 2008)	\$22,186,000
19	Violence Reduction and Drug Enforcement Account--State	
20	Appropriation (FY 2009)	\$22,186,000
21	Problem Gambling Account--State	
22	Appropriation	\$1,464,000
23	Public Safety and Education Account--State	
24	Appropriation (FY 2008)	\$3,396,000
25	Public Safety and Education Account--State	
26	Appropriation (FY 2009)	\$3,395,000
27	Pension Funding Stabilization Account--State	
28	Appropriation	\$146,000
29	TOTAL APPROPRIATION	(\$369,661,000)
30		<u>\$379,301,000</u>

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

33 (1) \$2,786,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$2,785,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for the parent child assistance
36 program. The department shall contract with the University of

1 Washington and community-based providers for the provision of this
2 program. For all contractors, indirect charges for administering the
3 program shall not exceed ten percent of the total contract amount.

4 (2) \$11,113,000 of the general fund--state appropriation for fiscal
5 year 2008, \$14,490,000 of the general fund--state appropriation for
6 fiscal year 2009, and \$14,269,000 of the general fund--federal
7 appropriation are provided solely for the expansion of chemical
8 dependency treatment services for adult medicaid eligible and general
9 assistance-unemployable patients authorized under the 2005-07 biennial
10 appropriations act. By September 30, 2007, the department shall submit
11 an expenditure and program report relating to the patients receiving
12 treatment and other services pursuant to the funding provided in this
13 subsection (2), as well as to other patients receiving treatment funded
14 by the department. The report shall be submitted to the office of
15 financial management and the appropriate policy and fiscal committees
16 of the legislature. Subsequent updates to this report shall be
17 provided by January 31 and July 31 of each fiscal year of the 2007-09
18 biennium. The reports shall include, but not necessarily be limited
19 to, the following information: (a) The number and demographics
20 (including categories) of patients served; (b) geographic distribution;
21 (c) modality of treatment services provided (i.e. residential or
22 out-patient); (d) treatment completion rates; (e) funds spent; and (f)
23 where applicable, the estimated cost offsets in medical assistance on
24 a total and per patient basis.

25 (3) \$698,000 of the general fund--state appropriation for fiscal
26 year 2008, \$1,060,000 of the general fund--state appropriation for
27 fiscal year 2009, and \$154,000 of the general fund--federal
28 appropriation are provided solely for the expansion authorized under
29 the 2005-07 biennial appropriations act of chemical dependency
30 treatment services for minors who are under 200 percent of the federal
31 poverty level. The department shall monitor the number and type of
32 clients entering treatment, for purposes of determining potential cost
33 offsets.

34 (4) \$250,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$145,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely for the department to contract for
37 the following: (a) To continue an existing pilot program in Pierce
38 county limited to individuals who began chemical dependency treatment

1 using the prometa protocol prior to March 11, 2008; and (b) to contract
2 with an independent evaluator who will, to the extent possible,
3 evaluate the Pierce county pilot, as well as summarize other research
4 on the efficacy of the prometa protocol.

5 (5) \$4,449,000 of the general fund--state appropriation for fiscal
6 year 2009 and \$1,000,000 of the criminal justice treatment account
7 appropriation are provided solely to implement Engrossed Substitute
8 Senate Bill No. 6665 (crisis response), to continue existing pilot
9 programs and to expand the intensive crisis response pilot to Spokane
10 county. The continuation and expansion of the pilot programs expires
11 June 30, 2009. If the bill is not enacted by June 30, 2008, the
12 amounts provided in this subsection shall lapse.

13 (6) The department shall not reduce and shall continue to provide
14 adult care and low-income treatment and detoxification services.

15 (7) The department shall not reduce and shall continue to support
16 the families in recovery program.

17 (8) The department shall not reduce and shall continue the student
18 employment program.

19 (9) The department shall not reduce and shall continue to provide
20 funding for living allowances to clients in treatment under RCW
21 74.50.050.

22 (10) The department shall not reduce and shall continue to provide
23 funding to drug courts for treatment.

24 (11) In addition to other reductions, the reduced appropriations in
25 this section reflect an additional \$76,000 reduction in administrative
26 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
27 state government administrative costs). These administrative
28 reductions shall be achieved, to the greatest extent possible, by
29 reducing those administrative costs that do not affect direct client
30 services or direct service delivery or programs.

31 (12) The department shall not reduce and shall continue to secure
32 and provide for evaluation training for assessing children with fetal
33 alcohol spectrum disorders (FASD).

34 **Sec. 1109.** 2009 c 4 s 208 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE**

1	PROGRAM	
2	General Fund--State Appropriation (FY 2008)	\$1,602,827,000
3	General Fund--State Appropriation (FY 2009)	((\$1,533,431,000))
4		<u>\$1,453,789,000</u>
5	General Fund--Federal Appropriation	((\$4,439,060,000))
6		<u>\$4,669,537,000</u>
7	General Fund--Private/Local Appropriation	\$2,000,000
8	Emergency Medical Services and Trauma Care Systems	
9	Trust Account--State Appropriation	\$15,076,000
10	Health Services Account--State Appropriation (FY 2008) . .	\$388,946,000
11	Health Services Account--State	
12	Appropriation (FY 2009)	((\$392,857,000))
13		<u>\$364,314,000</u>
14	Tobacco Prevention and Control Account--State	
15	Appropriation	((\$1,883,000))
16		<u>\$1,727,000</u>
17	Pension Funding Stabilization Account--State	
18	Appropriation	\$646,000
19	TOTAL APPROPRIATION	((\$8,376,726,000))
20		<u>\$8,498,862,000</u>

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

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

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

33 (3) Sufficient amounts are appropriated in this section for the
34 department to continue podiatry services for medicaid-eligible adults.

35 (4) Sufficient amounts are appropriated in this section for the
36 department to provide an adult dental benefit that is at least
37 equivalent to the benefit provided in the 2003-05 biennium.

1 (5) In accordance with RCW 74.46.625, \$6,000,000 of the general
2 fund--federal appropriation is provided solely for supplemental
3 payments to nursing homes operated by public hospital districts. The
4 public hospital district shall be responsible for providing the
5 required nonfederal match for the supplemental payment, and the
6 payments shall not exceed the maximum allowable under federal rules.
7 It is the legislature's intent that the payments shall be supplemental
8 to and shall not in any way offset or reduce the payments calculated
9 and provided in accordance with part E of chapter 74.46 RCW. It is the
10 legislature's further intent that costs otherwise allowable for rate-
11 setting and settlement against payments under chapter 74.46 RCW shall
12 not be disallowed solely because such costs have been paid by revenues
13 retained by the nursing home from these supplemental payments. The
14 supplemental payments are subject to retrospective interim and final
15 cost settlements based on the nursing homes' as-filed and final
16 medicare cost reports. The timing of the interim and final cost
17 settlements shall be at the department's discretion. During either the
18 interim cost settlement or the final cost settlement, the department
19 shall recoup from the public hospital districts the supplemental
20 payments that exceed the medicaid cost limit and/or the medicare upper
21 payment limit. The department shall apply federal rules for
22 identifying the eligible incurred medicaid costs and the medicare upper
23 payment limit.

24 (6) \$1,111,000 of the health services account appropriation for
25 fiscal year 2008, \$1,110,000 of the health services account
26 appropriation for fiscal year 2009, \$5,402,000 of the general fund--
27 federal appropriation, \$1,590,000 of the general fund--state
28 appropriation for fiscal year 2008, and \$1,591,000 of the general
29 fund--state appropriation for fiscal year 2009 are provided solely for
30 grants to rural hospitals. The department shall distribute the funds
31 under a formula that provides a relatively larger share of the
32 available funding to hospitals that (a) serve a disproportionate share
33 of low-income and medically indigent patients and (b) have relatively
34 smaller net financial margins, to the extent allowed by the federal
35 medicaid program.

36 (7) \$10,546,000 of the health services account appropriation for
37 fiscal year 2008, \$10,546,000 of the health services account--state
38 appropriation for fiscal year 2009, and \$19,725,000 of the general

1 fund--federal appropriation are provided solely for grants to nonrural
2 hospitals. The department shall distribute the funds under a formula
3 that provides a relatively larger share of the available funding to
4 hospitals that (a) serve a disproportionate share of low-income and
5 medically indigent patients and (b) have relatively smaller net
6 financial margins, to the extent allowed by the federal medicaid
7 program.

8 (8) The department shall continue the inpatient hospital certified
9 public expenditures program for the 2007-2009 biennium. The program
10 shall apply to all public hospitals, including those owned or operated
11 by the state, except those classified as critical access hospitals or
12 state psychiatric institutions. The department shall submit reports to
13 the governor and legislature by November 1, 2007, and by November 1,
14 2008, that evaluate whether savings continue to exceed costs for this
15 program. If the certified public expenditures (CPE) program in its
16 current form is no longer cost-effective to maintain, the department
17 shall submit a report to the governor and legislature detailing
18 cost-effective alternative uses of local, state, and federal resources
19 as a replacement for this program. During fiscal year 2008 and fiscal
20 year 2009, hospitals in the program shall be paid and shall retain (a)
21 one hundred percent of the federal portion of the allowable hospital
22 cost for each medicaid inpatient fee-for-service claim payable by
23 medical assistance; and (b) one hundred percent of the federal portion
24 of the maximum disproportionate share hospital payment allowable under
25 federal regulations. Inpatient medicaid payments shall be established
26 using an allowable methodology that approximates the cost of claims
27 submitted by the hospitals. Payments made to each hospital in the
28 program in each fiscal year of the biennium shall be compared to a
29 baseline amount. The baseline amount will be determined by the total
30 of (a) the inpatient claim payment amounts that would have been paid
31 during the fiscal year had the hospital not been in the CPE program,
32 and (b) disproportionate share hospital payment amounts paid to and
33 retained by each hospital during fiscal year 2005 that pertain to
34 fiscal year 2005. If payments during the fiscal year exceed the
35 hospital's baseline amount, no additional payments will be made to the
36 hospital except the federal portion of allowable disproportionate share
37 hospital payments for which the hospital can certify allowable match.
38 If payments during the fiscal year are less than the baseline amount,

1 the hospital will be paid a state grant equal to the difference between
2 payments during the fiscal year and the applicable baseline amount.
3 Payment of the state grant shall be made in the applicable fiscal year
4 and distributed in monthly payments. The grants will be recalculated
5 and redistributed as the baseline is updated during the fiscal year.
6 The grant payments are subject to an interim settlement within eleven
7 months after the end of the fiscal year. A final settlement shall be
8 performed within two years after the end of the related fiscal year.
9 To the extent that either settlement determines that a hospital has
10 received funds in excess of what it would have received as described in
11 this subsection, the hospital must repay the excess amounts to the
12 state when requested. \$61,728,000 of the general fund--state
13 appropriation for fiscal year 2008, of which \$6,570,000 is appropriated
14 in section 204(1) of this act and the balance in this section, and
15 (~~(\$47,745,000)~~) \$46,490,000 of the general fund--state appropriation
16 for fiscal year 2009, of which \$6,570,000 is appropriated in section
17 204(1) of this act and the balance in this section, are provided solely
18 for state grants for the participating hospitals.

19 (9) \$4,399,000 of the general fund--state appropriation for fiscal
20 year 2008, (~~(\$6,391,000)~~) \$6,094,000 of the general fund--state
21 appropriation for fiscal year 2009, and (~~(\$55,384,000)~~) \$53,470,000 of
22 the general fund--federal appropriation are provided solely for
23 development and implementation of a replacement system for the existing
24 medicaid management information system. The amounts are conditioned on
25 the department satisfying the requirements of section 902 of this act.

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

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

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

36 (13) The department shall, within available resources, continue
37 operation of the medical care services care management pilot project

1 for clients receiving general assistance benefits in King and Pierce
2 counties. The project may use a full or partial capitation model that
3 includes a mechanism for shared savings.

4 (14) \$1,688,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$1,689,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely to incorporate a mental health
7 service component to the pilot project established pursuant to
8 subsection (13) of this section. Addition of the mental health service
9 component authorized in this subsection is contingent upon the managed
10 care contractor or the participating counties providing, alone or in
11 combination, matching funds in cash or in kind, in an amount equal to
12 one-ninth of the amounts appropriated in this subsection. The mental
13 health service component may include care coordination, mental health
14 services, and integrated medical and mental health service delivery for
15 general assistance clients with mental health disorders, as well as
16 primary care provider training and education. The department shall
17 provide a report to the appropriate committees of the legislature by
18 January 1, 2009, on costs, savings, and any outcomes or quality
19 measures associated with the pilot projects during calendar year 2007
20 and 2008. To the extent possible, the report shall address any impact
21 that the mental health services component has had upon clients' use of
22 medical services, including but not limited to primary care physician's
23 visits, emergency room utilization, and prescription drug utilization.

24 (15) \$341,000 of the health services account appropriation for
25 fiscal year 2008, \$1,054,000 of the health services account
26 appropriation for fiscal year 2009, and \$1,461,000 of the general
27 fund--federal appropriation are provided solely to implement Second
28 Substitute House Bill No. 1201 (foster care youth medical). If the
29 bill is not enacted by June 30, 2007, the amounts provided in this
30 subsection shall lapse.

31 (16) \$6,728,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$8,563,000 of the general fund--state appropriation for
33 fiscal year 2009 are provided solely to provide full benefit dual
34 eligible beneficiaries with medicare part D prescription drug copayment
35 coverage in accordance with chapter 3, Laws of 2007 (part D copayment
36 drug program).

37 (17) The department shall conduct a study to determine the
38 financial impact associated with continuing to cover brand name

1 medications versus the same medication in its generic form. The study
2 shall account for all rebates paid to the state on each product studied
3 up until the point where the generic form is less expensive, net of
4 federally required rebates. The department shall submit its report to
5 the legislative fiscal committees by December 1, 2007.

6 (18) \$198,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$134,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided solely for the first two years of a four-
9 year project by the Seattle-King county health department to improve
10 management of symptoms and reduce complications related to asthma among
11 medicaid eligible children. The department shall contract with the
12 Seattle-King county health department to have trained community health
13 workers visit medicaid eligible children in their homes to identify and
14 reduce exposure to asthma triggers, improve clients' self-management
15 skills, and coordinate clients' care with their primary care and
16 specialty providers. The contract shall include an evaluation of the
17 impact of the services provided under the contract on urgent
18 physician's visits, emergency room utilization, and inpatient
19 hospitalization.

20 (19) \$1,529,000 of the general fund--state appropriation for fiscal
21 year 2008 and \$1,624,000 of the general fund--state appropriation for
22 fiscal year 2009 are provided solely for development and implementation
23 of an outreach program as provided in chapter 5, Laws of 2007 (Second
24 Substitute Senate Bill No. 5093, health services for children).

25 (a) By December 15, 2007, the department shall provide a report to
26 the appropriate committees of the legislature on the progress of
27 implementing the following activities:

28 (i) Feasibility study and implementation plan to develop online
29 application capability that is integrated with the department's
30 automated client eligibility system;

31 (ii) Development of data linkages with the office of superintendent
32 of public instruction for free and reduced-price lunch enrollment
33 information and the department of early learning for child care subsidy
34 program enrollment information;

35 (iii) Informing insurers and providers when their enrollees'
36 eligibility is going to expire so insurers and providers can help
37 families reenroll;

1 (iv) Outreach contracts with local governmental entities, community
2 based organizations, and tribes;

3 (v) Results of data sharing with outreach contractors, and other
4 contracted entities such as local governments, community-based
5 organizations, tribes, health care providers, and insurers to engage,
6 enroll, and reenroll identified children;

7 (vi) Results of efforts to maximize federal matching funds,
8 wherever possible; and

9 (vii) Plans for sustaining outreach programs proven to be
10 successful.

11 (b)(i) Within the amounts provided under this subsection (19),
12 sufficient funding is provided to the department to develop and
13 implement in conjunction with the employment security department a plan
14 that would:

15 (A) Allow applicants and recipients of unemployment insurance to
16 request assistance with obtaining health coverage for household
17 members; and

18 (B) Authorize the exchange of information between the employment
19 security department and the department of social and health services to
20 more efficiently determine eligibility for health coverage under
21 chapter 74.09 RCW.

22 (ii) The plan developed in (b)(i) of this subsection should address
23 permissible uses of federal employment security funding and
24 infrastructure, identification of any necessary statutory changes, and
25 cost information. The department shall submit the plan in a report to
26 the governor and the appropriate committees of the legislature by
27 November 15, 2008.

28 (20) \$640,000 of the general fund--state appropriation for fiscal
29 year 2008 and \$616,000 of the general fund--state appropriation for
30 fiscal year 2009 are provided solely for a medicare advantage program.
31 The department shall:

32 (a) Pay the premiums associated with enrollment in a medicare
33 advantage plan for those full benefit dual eligible beneficiaries, as
34 defined in RCW 74.09.010, who were enrolled on or before November 14,
35 2006 in a medicare advantage plan sponsored by an entity accredited by
36 the national committee for quality assurance and for whom the
37 department had been paying Part C premium as of November 2006; and

1 (b) Undertake, directly or by contract, a study to determine the
2 cost-effectiveness of paying premiums for enrollment of full benefit
3 dual eligible beneficiaries in medicare advantage plans in lieu of
4 paying full benefit dual eligible beneficiaries' medicare cost-sharing.
5 The study shall compare the cost and health outcomes experience,
6 including rates of nursing home placement and costs for groups of full
7 benefit dual eligible beneficiaries who are enrolled in medicare
8 advantage plans, in medicare special needs plan or in medicare fee-for-
9 service. The study shall compare the health status and utilization of
10 health and long-term care services for the three groups, and the impact
11 of access to a medical home and specialty care, over a period of two
12 years to determine any differences in health status, health outcomes,
13 and state expenditures that result. The department shall submit the
14 results of the study to the governor and the legislature by June 30,
15 2009. The department is authorized to accept private cash and in-kind
16 donations and grants to support the study and evaluation.

17 (c) Track enrollment and expenditures for this population on
18 department monthly management reports.

19 (21) The department may not transition to managed care delivery any
20 population that has been primarily served under fee-for-service
21 delivery unless the department first conducts a cost-effectiveness
22 evaluation of the transition, including an evaluation of historical
23 data on utilization patterns, and finds that the transition would
24 result in a more effective and cost-efficient form of service delivery,
25 pursuant to RCW 74.09.470. Any such finding must be provided to the
26 governor and the legislature no less than ninety days before the
27 transition begins.

28 (22) \$756,000 of the general fund--state appropriation for fiscal
29 year 2008, \$1,193,000 of the general fund--state appropriation for
30 fiscal year 2009, \$1,261,000 of the health services account--state
31 appropriation for fiscal year 2009, and \$2,448,000 of the general
32 fund--federal appropriation are provided solely to implement sections
33 5, 7, 8, and 11 of Second Substitute House Bill No. 1088 (children's
34 mental health). If the bill is not enacted by June 30, 2007, the
35 amounts provided in this subsection shall lapse.

36 (23) \$288,000 of the general fund--state appropriation for fiscal
37 year 2008, \$277,000 of the general fund--state appropriation for fiscal
38 year 2009, and \$566,000 of the general fund--federal appropriation are

1 provided solely for the implementation of Engrossed Second Substitute
2 Senate Bill No. 5930 (blue ribbon comm/health care). If the bill is
3 not enacted by June 30, 2007, the amounts provided in this subsection
4 shall lapse.

5 (24) \$45,000 of the general fund--state appropriation for fiscal
6 year 2008 is provided solely for the department of social and health
7 services, in consultation with the health care authority and the
8 employment security department, to prepare and submit a report and
9 recommendations to the governor and the legislature related to coverage
10 of low-wage workers enrolled on state plans who are employed by
11 employers with more than fifty employees. The report shall address
12 multiple approaches, including but not limited to the proposal included
13 in House Bill No. 2094 (taxpayer health care fairness act). The
14 discussion of each approach included in the report should identify how
15 the approach would further the goal of shared responsibility for
16 coverage of low-wage workers, obstacles to implementation and options
17 to address them, and estimated implementation costs. The report shall
18 be submitted on or before November 15, 2007. The agencies shall
19 establish a workgroup, which shall be closely involved and consulted in
20 the development of the report and recommendations under this
21 subsection. The workgroup shall include the following participants:
22 Persons or organizations representing large employers in the retail,
23 agricultural and grocery trades, other large employers, organizations
24 representing employees of large employers, organizations representing
25 low-wage employees of large employers, state and local governmental
26 entities as employers, and organizations representing employees of
27 state and local governmental entities. In addition, the workgroup
28 shall include three members from each of the two largest caucuses of
29 the house of representatives, appointed by the speaker, and three
30 members from each of the two largest caucuses of the senate, appointed
31 by the president of the senate.

32 (25) \$1,883,000 of the tobacco prevention and control account--
33 state appropriation and \$1,742,000 of the general fund--federal
34 appropriation are for the provision of smoking cessation benefits
35 pursuant to Senate Bill No. 6421 (smoking cessation). If the bill is
36 not enacted by June 30, 2008, the amounts provided in this subsection
37 shall lapse.

1 (26) As part of the five-year plan on state purchasing to improve
2 health care quality under chapter 259, Laws of 2007, the department, in
3 collaboration with the department of health, shall provide a report to
4 the appropriate committees of the legislature outlining a strategy to
5 improve immunization rates for all children in the state, including but
6 not limited to vaccine administration fee increases and pay-for-
7 performance incentives. The department shall submit the report to the
8 governor and the health policy and fiscal committees of the legislature
9 by November 1, 2008.

10 (27) Within existing funds, the department shall evaluate the
11 fiscal impact of the federal upper limits on medicaid reimbursement to
12 pharmacies implemented under the federal deficit reduction act, and
13 report its findings to the legislature by December 1, 2008.

14 (28)(a) \$100,000 of the general fund--state appropriation for
15 fiscal year 2009 is provided solely for a feasibility study to examine
16 processes and systems that would expeditiously link persons released
17 from confinement in state and local correctional facilities and
18 institutions for mental diseases to medical assistance benefits for
19 which they qualify. The study shall present an analysis of the costs
20 and benefits associated with:

21 (i) Suspending eligibility for persons who were receiving medical
22 assistance at the time their confinement began, such that upon the
23 person's release from confinement, medical assistance benefits would
24 immediately resume without the filing of a new application. In the
25 evaluation of eligibility suspension, the department shall examine
26 process modifications that would allow confined persons to recertify
27 eligibility before or immediately after release from confinement;

28 (ii) Improving the efficiency and expanding the scope of the
29 expedited medical assistance reinstatement and eligibility
30 determination process established under RCW 74.09.555, including
31 extending the process to persons other than those with mental
32 disorders, both for persons who had been previously eligible before
33 confinement and for persons who had not been eligible before
34 confinement;

35 (iii) Providing medical and mental health evaluations to determine
36 disability for purposes of the medical assistance program before the
37 person's release from confinement; and

1 (iv) Notifying the department in a timely manner when a person who
2 has been enrolled in medical assistance is confined in a state
3 correctional institution or institution for mental diseases or is
4 released from confinement.

5 (b) In conducting the study, the department shall collaborate with
6 the Washington association of sheriffs and police chiefs, the
7 department of corrections, the regional support networks, department
8 field offices, institutions for mental diseases, and correctional
9 institutions. The department shall submit the study to the governor
10 and the legislature by November 15, 2008.

11 (29) \$50,000 of the general fund--state appropriation for fiscal
12 year 2009 and \$50,000 of the general fund--federal appropriation are
13 provided solely for implementation of the agency's responsibilities in
14 Engrossed Second Substitute House Bill No. 2549 (patient-centered
15 primary care). If the bill is not enacted by June 30, 2008, the
16 amounts provided in this subsection shall lapse.

17 (30) The department shall not reduce and shall continue to provide
18 family planning nurses and supplies at community services offices.

19 (31) The department shall not eliminate and shall continue to
20 provide a nurse hotline for foster parents.

21 (32) The department shall not reduce and shall provide medical
22 assistance to children under three-hundred percent of the federal
23 poverty level.

24 (33) The department shall not reduce and shall continue to provide
25 maternity support services to pregnant and postpartum women.

26 ~~(34) ((The department shall not reduce and shall continue to
27 provide transportation services to patients receiving adult day health
28 services.~~

29 ~~(35))~~) The department shall continue children's health coverage
30 outreach and education efforts. These efforts shall rely on existing
31 relationships and systems developed to implement the program under RCW
32 74.09.470, such as those with local public health agencies, health care
33 providers, public schools, the women, infants, and children program,
34 the early childhood education and assistance program, child care
35 providers, newborn visiting nurses, and other community-based
36 organizations. The department shall seek public-private partnerships
37 and federal funds that may become available to provide on-going support
38 for outreach and education efforts.

1 **Sec. 1112.** 2009 c 4 s 212 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**
4 **AGENCIES PROGRAM**

5	General Fund--State Appropriation (FY 2008)	\$59,085,000
6	General Fund--State Appropriation (FY 2009)	(\$52,540,000)
7		<u>\$53,620,000</u>
8	General Fund--Federal Appropriation	(\$53,302,000)
9		<u>\$53,864,000</u>
10	TOTAL APPROPRIATION	(\$164,927,000)
11		<u>\$166,569,000</u>

12 The appropriations in this section are subject to the following
13 conditions and limitations: \$235,000 of the general fund--state
14 appropriation for fiscal year 2009 and \$111,000 of the general fund--
15 federal appropriation are provided solely to implement sections 2 and
16 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term
17 well-being). If the bill is not enacted by June 30, 2008, the amounts
18 provided in this subsection shall lapse.

19 **Sec. 1113.** 2009 c 4 s 213 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE HEALTH CARE AUTHORITY**

22	General Fund--State Appropriation (FY 2008)	\$1,000,000
23	<u>General Fund--State Appropriation (FY 2009)</u>	<u>\$500,000</u>
24	General Fund--Federal Appropriation	\$4,934,000
25	State Health Care Authority Administrative Account--	
26	State Appropriation	\$41,497,000
27	State Health Care Authority Administrative Account--	
28	Private/Local Appropriation	\$100,000
29	Medical Aid Account--State Appropriation	\$527,000
30	Health Services Account--State Appropriation	
31	(FY 2008)	\$271,478,000
32	Health Services Account--State Appropriation	
33	(FY 2009)	(\$291,795,000)
34		<u>\$289,124,000</u>
35	TOTAL APPROPRIATION	(\$611,331,000)
36		<u>\$609,160,000</u>

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

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

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

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

36 (4) Appropriations in this act include specific funding for health
37 records banking under section 10 of Engrossed Second Substitute Senate
38 Bill No. 5930 (blue ribbon commission).

1 (5) \$11,934,000 of the health services account--state appropriation
2 for fiscal year 2008 and \$11,834,000 of the health services account--
3 state appropriation for fiscal year 2009 are provided solely for
4 funding for health care services provided through local community
5 clinics.

6 (6) \$784,000 of the health services account--state appropriation
7 for fiscal year 2008, \$540,000 of the general fund--federal
8 appropriation, and \$8,200,000 of the state health care authority
9 administrative account--state appropriation are provided for the
10 development of a new benefits administration and insurance accounting
11 system.

12 (7) \$2,000,000 of the health services account--state appropriation
13 for fiscal year 2009 is provided solely for the authority to provide
14 one-time competitive grants to community health centers to increase the
15 number of adults served on an ongoing basis. Each clinic receiving
16 grant funding shall report annually, beginning December 2008, on key
17 adult access indicators established by the authority, including but not
18 limited to increases in the number of low-income adults served.

19 (8) \$1,639,000 of the health services account--state appropriation
20 for fiscal year 2008 is provided solely for section 5 of Engrossed
21 Second Substitute House Bill No. 1569 (health insurance partnership
22 board) and related provisions of Engrossed Second Substitute Senate
23 Bill No. 5930 (blue ribbon commission on health care).

24 (9) \$664,000 of the health services account--state appropriation
25 for fiscal year 2008 is provided solely for the implementation of the
26 Washington quality forum, pursuant to section 9 of Engrossed Second
27 Substitute Senate Bill No. 5930 (blue ribbon commission). If the
28 section is not enacted by June 2007, the amounts provided in this
29 subsection shall lapse.

30 (10) \$600,000 of the state health care authority administrative
31 account--state appropriation is provided solely for the implementation
32 of the state employee health pilot, pursuant to section 41 of Engrossed
33 Second Substitute Senate Bill No. 5930 (blue ribbon commission). If
34 the section is not enacted by June 2007, the amounts provided in this
35 subsection shall lapse.

36 (11) \$250,000 of the health services account--state appropriation
37 for fiscal year 2008 and \$250,000 of the health services account--state
38 appropriation for fiscal year 2009 are provided solely for continuation

1 of the community health collaborative grant program in accordance with
2 chapter 67, Laws of 2006 (E2SSB 6459). The applicant organizations
3 must assure measurable improvements in health access within their
4 service region, demonstrate active collaboration with key community
5 partners, and provide two dollars in matching funds for each grant
6 dollar awarded.

7 (12) \$731,000 of the health services account--state appropriation
8 for fiscal year 2008 and \$977,000 of the health services account--state
9 appropriation for fiscal year 2009 are provided solely for the dental
10 residency program, including maintenance of the existing residency
11 positions and the establishment of six additional resident positions in
12 fiscal year 2008 (four in eastern Washington and two in the Seattle
13 area), and five additional positions in fiscal year 2009.

14 (13) Appropriations in this act include funding for sections 14
15 (reducing unnecessary emergency room use) and 40 (state employee health
16 program) of Engrossed Second Substitute Senate Bill No. 5930 (blue
17 ribbon commission).

18 (14) \$100,000 of the health services account--state appropriation
19 for fiscal year 2009 is provided solely for implementation of the
20 agency's responsibilities in Engrossed Second Substitute House Bill No.
21 2549 (patient-centered primary care). If the bill is not enacted by
22 June 30, 2008, the amount provided in this subsection shall lapse.

23 **Sec. 1114.** 2009 c 4 s 214 (uncodified) is amended to read as
24 follows:

25 **FOR THE HUMAN RIGHTS COMMISSION**

26	General Fund--State Appropriation (FY 2008)	\$3,377,000
27	General Fund--State Appropriation (FY 2009)	\$3,580,000
28	General Fund--Federal Appropriation	(\$1,523,000)
29		<u>\$1,723,000</u>
30	TOTAL APPROPRIATION	(\$8,480,000)
31		<u>\$8,680,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$115,000 of the general fund--state
34 appropriation for fiscal year 2008 and \$190,000 of the general fund--
35 state appropriation for fiscal year 2009 are provided solely for
36 implementation of Engrossed Substitute Senate Bill No. 6776

1 (whistleblower protections). If the bill is not enacted by June 30,
2 2008, the amounts provided in this subsection shall lapse.

3 **Sec. 1115.** 2009 c 4 s 215 (uncodified) is amended to read as
4 follows:

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

6	Worker and Community Right-to-Know Account--State	
7	Appropriation	\$20,000
8	Accident Account--State Appropriation	((\$17,963,000))
9		<u>\$18,045,000</u>
10	Medical Aid Account--State Appropriation	((\$17,964,000))
11		<u>\$18,046,000</u>
12	TOTAL APPROPRIATION	((\$35,947,000))
13		<u>\$36,111,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations: \$82,000 of the accident account--state
16 appropriation for fiscal year 2009 and \$82,000 of the medical aid
17 account--state appropriation for fiscal year 2009 are provided solely
18 for implementation of chapter 280, Laws of 2008 (industrial insurance
19 orders).

20 **Sec. 1116.** 2009 c 4 s 216 (uncodified) is amended to read as
21 follows:

22 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

23	General Fund--State Appropriation (FY 2009)	\$306,000
24	Public Safety and Education Account--State	
25	Appropriation (FY 2008)	\$15,680,000
26	Public Safety and Education Account--State	
27	Appropriation (FY 2009)	((\$21,445,000))
28		<u>\$21,320,000</u>
29	Death Investigations Account--State Appropriation	\$148,000
30	Municipal Criminal Justice Assistance Account--	
31	State Appropriation	\$460,000
32	Washington Auto Theft Prevention Authority Account--	
33	State Appropriation	\$12,322,000
34	TOTAL APPROPRIATION	((\$50,361,000))
35		<u>\$50,236,000</u>

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

3 (1) During the 2007-2009 biennium, the criminal justice training
4 commission is authorized to raise existing fees charged for firearms
5 certification for security guards in excess of the fiscal growth factor
6 established pursuant to RCW 43.135.055, if necessary, to meet the
7 actual costs of conducting the certification programs and the
8 appropriation levels in this section.

9 (2) \$2,390,000 of the public safety and education account--state
10 appropriation for fiscal year 2008 and (~~(\$1,809,000)~~) \$1,684,000 of the
11 public safety and education account--state appropriation for fiscal
12 year 2009 are provided solely for ten additional basic law enforcement
13 academies in fiscal year 2008 and (~~(nine)~~) eight additional basic law
14 enforcement academies in fiscal year 2009.

15 (3) \$1,044,000 of the public safety and education account--state
16 appropriation for fiscal year 2008 and \$1,191,000 of the public safety
17 and education account--state appropriation for fiscal year 2009 are
18 provided solely for the Washington association of sheriffs and police
19 chiefs to continue to develop, maintain, and operate the jail booking
20 and reporting system (JBRS) and the statewide automated victim
21 information and notification system (SAVIN).

22 (4) \$28,000 of the public safety and education account--state
23 appropriation for fiscal year 2008 is provided solely for the
24 implementation of chapter 10, Laws of 2007 (SSB 5191, missing persons).

25 (5) \$5,400,000 of the Washington auto theft prevention authority
26 account--state appropriation for fiscal year 2008 and \$6,922,000 of the
27 Washington auto theft prevention authority account--state appropriation
28 for fiscal year 2009 are provided solely for the implementation of
29 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the
30 bill is not enacted by June 30, 2007, the amounts provided in this
31 subsection shall lapse.

32 (6) \$150,000 of the public safety and education account--state
33 appropriation for fiscal year 2008 and \$150,000 of the public safety
34 and education account--state appropriation for fiscal year 2009 are
35 provided solely to deliver multi-disciplinary team training sessions
36 aimed at improving the coordination of, and communication between,
37 agencies involved in the investigation of child fatality, child sexual
38 abuse, child physical abuse, and criminal neglect cases.

1 (7) \$25,000 of the public safety and education account--state
2 appropriation for fiscal year 2008 is provided solely for the
3 implementation of Substitute Senate Bill No. 5987 (gang-related
4 offenses). If the bill is not enacted by June 30, 2007, the amount
5 provided in this subsection shall lapse.

6 (8) \$50,000 of the public safety and education account--state
7 appropriation for fiscal year 2008 and \$50,000 of the public safety and
8 education account--state appropriation for fiscal year 2009 are
9 provided solely for support of the coalition of small police agencies
10 major crimes task force. The purpose of this task force is to pool its
11 resources and to establish an efficient and cooperative approach in
12 addressing major violent crimes.

13 (9) \$20,000 of the public safety and education account--state
14 appropriation for fiscal year 2008 is provided solely for the
15 implementation of Substitute Senate Bill No. 5315 (forest
16 fires/property access). If the bill is not enacted by June 30, 2007,
17 the amount provided in this subsection shall lapse.

18 (10) \$5,000,000 of the public safety and education account--state
19 appropriation for fiscal year 2009 is provided to the Washington
20 association of sheriffs and police chiefs solely to verify the address
21 and residency of all registered sex offenders and kidnapping offenders
22 under RCW 9A.44.130. The Washington association of sheriffs and police
23 chiefs shall:

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

27 (A) For level I offenders, every twelve months;

28 (B) For level II offenders, every six months; and

29 (C) For level III offenders, every three months.

30 For the purposes of this subsection, unclassified offenders and
31 kidnapping offenders shall be considered at risk level I unless in the
32 opinion of the local jurisdiction a higher classification is in the
33 interest of public safety.

34 (b) Collect performance data from all participating jurisdictions
35 sufficient to evaluate the efficiency and effectiveness of the address
36 and residency verification program.

37 (c) Submit a report on the effectiveness of the address and

1 residency verification program to the governor and the appropriate
2 committees of the house of representatives and senate by September 1,
3 2009.

4 The Washington association of sheriffs and police chiefs may retain up
5 to three percent of the amount provided in this subsection for the cost
6 of administration. Any funds not disbursed for address and residency
7 verification or retained for administration may be allocated to local
8 prosecutors for the prosecution costs associated with failing to
9 register offenses.

10 (11) \$750,000 of the public safety and education fund--state
11 appropriation for fiscal year 2009 is provided solely for
12 implementation of Second Substitute House Bill No. 2712 (criminal
13 street gangs). If the bill is not enacted by June 30, 2008, the amount
14 provided in this subsection shall lapse.

15 (12) \$306,000 of the general fund--state appropriation for fiscal
16 year 2009 is provided solely for a grant program to pay for the costs
17 of local law enforcement agencies participating in specialized crisis
18 intervention training.

19 **Sec. 1117.** 2009 c 4 s 217 (uncodified) is amended to read as
20 follows:

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

22	General Fund--State Appropriation (FY 2008)	\$8,716,000
23	General Fund--State Appropriation (FY 2009)	\$8,624,000
24	General Fund--Federal Appropriation	\$100,000
25	Public Safety and Education Account--State	
26	Appropriation (FY 2008)	\$15,393,000
27	Public Safety and Education Account--State	
28	Appropriation (FY 2009)	\$16,525,000
29	Public Safety and Education Account--Federal	
30	Appropriation	\$10,000,000
31	Asbestos Account--State Appropriation	\$908,000
32	Electrical License Account--State Appropriation	\$41,104,000
33	Farm Labor Revolving Account--Private/Local	
34	Appropriation	\$28,000
35	Worker and Community Right-to-Know Account--State	
36	Appropriation	\$1,941,000
37	Public Works Administration Account--State	

1	Appropriation	\$3,948,000
2	Manufactured Home Installation Training Account--	
3	State Appropriation	\$192,000
4	Accident Account--State Appropriation	(\$232,295,000)
5		<u>\$232,617,000</u>
6	Accident Account--Federal Appropriation	\$13,622,000
7	Medical Aid Account--State Appropriation	(\$235,445,000)
8		<u>\$235,766,000</u>
9	Medical Aid Account--Federal Appropriation	\$3,186,000
10	Plumbing Certificate Account--State Appropriation	\$1,634,000
11	Pressure Systems Safety Account--State	
12	Appropriation	\$3,646,000
13	TOTAL APPROPRIATION	(\$597,307,000)
14		<u>\$597,950,000</u>

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

17 (1) \$2,413,000 of the medical aid account--state appropriation is
18 provided solely for conducting utilization reviews of physical and
19 occupational therapy cases at the 24th visit and the associated
20 administrative costs, including those of entering data into the
21 claimant's file. The department shall develop and report performance
22 measures and targets for these reviews to the office of financial
23 management. The reports are due September 30th for the prior fiscal
24 year and must include the amount spent and the estimated savings per
25 fiscal year.

26 (2) \$2,247,000 of the medical aid account--state appropriation is
27 provided solely to implement Engrossed Substitute Senate Bill No. 5920
28 (vocational rehabilitation). If the bill is not enacted by June 30,
29 2007, the amount provided in this subsection shall lapse.

30 (3) \$822,000 of the medical aid account--state appropriation is
31 provided solely for vocational services professional staff salary
32 adjustments necessary to recruit and retain positions required for
33 anticipated changes in work duties as a result of Engrossed Substitute
34 Senate Bill No. 5920 (vocational rehabilitation). If the bill is not
35 enacted by June 30, 2007, the amount provided in this subsection shall
36 lapse. Compensation for anticipated changes to work duties is subject
37 to review and approval by the director of the department of personnel
38 and is subject to collective bargaining.

1 (4) \$8,000,000 of the medical aid account--state appropriation is
2 provided solely to establish a program of safety and health as
3 authorized by RCW 49.17.210 to be administered under rules adopted
4 pursuant to chapter 34.05 RCW, provided that projects funded involve
5 workplaces insured by the medical aid fund, and that priority is given
6 to projects fostering accident prevention through cooperation between
7 employers and employees or their representatives.

8 (5) \$600,000 of the medical aid account--state appropriation is
9 provided solely for the department to contract with one or more
10 independent experts to evaluate and recommend improvements to the
11 rating plan under chapter 51.18 RCW, including analyzing how risks are
12 pooled, the effect of including worker premium contributions in
13 adjustment calculations, incentives for accident and illness
14 prevention, return-to-work practices, and other sound risk-management
15 strategies that are consistent with recognized insurance principles.

16 (6) \$181,000 of the accident account--state appropriation and
17 \$181,000 of the medical aid account--state appropriation are provided
18 solely to implement Substitute Senate Bill No. 5443 (workers'
19 compensation claims). If the bill is not enacted by June 30, 2007, the
20 amounts provided in this subsection shall lapse.

21 (7) \$558,000 of the medical aid account--state appropriation is
22 provided solely to implement Engrossed Substitute Senate Bill No. 5290
23 (workers' compensation advisory committees). If the bill is not
24 enacted by June 30, 2007, the amount provided in this subsection shall
25 lapse.

26 (8) \$104,000 of the public safety and education account--state
27 appropriation for fiscal year 2008, \$104,000 of the public safety and
28 education account--state appropriation for fiscal year 2009, \$361,000
29 of the accident account--state appropriation, and \$361,000 of the
30 medical aid account--state appropriation are provided solely for
31 implementation of Engrossed Substitute Senate Bill No. 5675 (workers'
32 compensation benefits). If the bill is not enacted by June 30, 2007,
33 the amounts provided in this subsection shall lapse.

34 (9) \$730,000 of the medical aid account--state appropriation is
35 provided solely for implementation of Engrossed Second Substitute
36 Senate Bill No. 5930 (blue ribbon commission). If the bill is not
37 enacted by June 30, 2007, the amount provided in this subsection shall
38 lapse.

1 (10) \$437,000 of the accident account--state appropriation and
2 \$437,000 of the medical aid account--state appropriation are provided
3 solely for implementation of Substitute Senate Bill No. 5053
4 (industrial insurance ombudsman). If the bill is not enacted by June
5 30, 2007, the amounts provided in this subsection shall lapse.

6 (11) \$74,000 of the accident account--state appropriation and
7 \$74,000 of the medical aid--state appropriation are provided solely for
8 implementation of Engrossed Substitute Senate Bill No. 5915 (notices to
9 employers). If the bill is not enacted by June 30, 2007, the amounts
10 provided in this subsection shall lapse.

11 (12) \$605,000 of the accident account--state appropriation for
12 fiscal year 2008 is provided solely for a study of the incidence of
13 permanent total disability pensions in the state's workers'
14 compensation system. To conduct the study, the department shall
15 contract with an independent researcher that has demonstrated expertise
16 in workers' compensation systems. When selecting the independent
17 researcher, the department shall consult the labor and business members
18 of the workers' compensation advisory committee and, if the labor and
19 business members of the workers' compensation advisory committee agree
20 on a particular independent researcher, the department shall select
21 that independent researcher. The study must consider causes of the
22 recent increase in permanent total disability cases, future anticipated
23 permanent total disability trends, a comparison of Washington's
24 permanent total disability claims experience and injured workers with
25 other states and jurisdictions, the impact of the standard for finding
26 workers employable on the incidence of permanent total disability
27 pensions, and the impact of vocational rehabilitation under RCW
28 51.32.095 on the incidence of permanent total disability pensions. The
29 department shall report to the workers' compensation advisory
30 committee, the house of representatives commerce and labor committee,
31 and the senate labor, commerce, research and development committee on
32 the results of the study on or before July 1, 2008.

33 (13) \$1,089,000 of the accident account--state appropriation and
34 \$192,000 of the medical aid account--state appropriation are provided
35 solely for implementation of chapter 27, Laws of 2007 (ESHB 2171, crane
36 safety).

37 (14) \$100,000 of the general fund--federal appropriation and
38 \$192,000 of the manufactured home installation training account--state

1 appropriation are provided solely for Substitute House Bill No. 2118
2 (mobile/manufactured homes). If the bill is not enacted by June 30,
3 2007, the amounts provided in this subsection shall lapse.

4 (15) \$107,000 of the accident account--state appropriation and
5 \$107,000 of the medical aid account--state appropriation are provided
6 solely to implement Senate Bill No. 6839 (workers' compensation
7 coverage). If the bill is not enacted by June 30, 2008, the amounts
8 provided in this subsection shall lapse.

9 (16) (~~(\$224,000)~~) \$169,000 of the general fund--state appropriation
10 for fiscal year 2009, \$741,000 of the accident account--state
11 appropriation, and \$741,000 of the medical aid account--state
12 appropriation are provided solely for implementation of Second
13 Substitute Senate Bill No. 6732 (construction industry). If the bill
14 is not enacted by June 30, 2008, the amount provided in this subsection
15 shall lapse.

16 (17) \$408,000 of the accident account--state appropriation and
17 \$72,000 of the medical aid account--state appropriation are provided
18 solely to implement Substitute House Bill No. 2602 (victims' employment
19 leave). If the bill is not enacted by June 30, 2008, the amounts
20 provided in this subsection shall lapse.

21 (18) \$3,000 of the public safety and education account--state
22 appropriation for fiscal year 2008 and \$3,000 of the public safety and
23 education account--state appropriation for fiscal year 2009 are
24 provided solely to implement Substitute Senate Bill No. 6246
25 (industrial insurance claims). If the bill is not enacted by June 30,
26 2008, the amounts provided in this subsection shall lapse.

27 (19) \$40,000 of the general fund--state appropriation for fiscal
28 year 2009 is provided solely for the department to conduct a review of
29 the need for regulation of general and specialty contractors involved
30 in the repair, alteration, or construction of single-family homes using
31 the public interest criteria set forth in RCW 18.118.010 and as
32 generally described in Second Substitute House Bill No. 3349
33 (residential contractors). By October 1, 2008, the department and the
34 department of licensing shall report their findings to the appropriate
35 committees of the legislature.

36 (20) (~~(The department of labor and industries shall enter into an~~
37 ~~interagency agreement with the employment security department to expend~~

1 funds from the family leave insurance account for the implementation of
2 the family leave insurance program.

3 (21)) Pursuant to RCW 43.135.055, the department is authorized to
4 increase the following fees as necessary to meet the actual costs of
5 conducting business and the appropriation levels in this section and by
6 not more than 5.53 percent in fiscal year 2008: Boiler inspection
7 permits and fees; boiler permit fees; plumbers' continuing education;
8 and plumbers' licensing and examination fees.

9 (21) \$256,000 of the accident account--state appropriation and
10 \$256,000 of the medical aid account--state appropriation are provided
11 solely for implementation of chapter 280, Laws of 2008 (industrial
12 insurance orders).

13 **Sec. 1118.** 2009 c 4 s 219 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

16 (1) HEADQUARTERS

17	General Fund--State Appropriation (FY 2008)	\$2,124,000
18	General Fund--State Appropriation (FY 2009)	\$1,926,000
19	Charitable, Educational, Penal, and Reformatory	
20	Institutions Account--State Appropriation	\$10,000
21	TOTAL APPROPRIATION	\$4,060,000

22 (2) FIELD SERVICES

23	General Fund--State Appropriation (FY 2008)	\$5,264,000
24	General Fund--State Appropriation (FY 2009)	\$5,476,000
25	General Fund--Federal Appropriation	(\$1,025,000)
26		<u>\$1,332,000</u>
27	General Fund--Private/Local Appropriation	(\$3,317,000)
28		<u>\$3,640,000</u>
29	Veterans Innovations Program Account Appropriation	\$1,437,000
30	Veteran Estate Management Account--Private/Local	
31	Appropriation	\$1,062,000
32	TOTAL APPROPRIATION	(\$17,581,000)
33		<u>\$18,211,000</u>

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

1 (a) \$440,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$560,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely to implement Second Substitute
4 Senate Bill No. 5164 (veterans' conservation corps). If the bill is
5 not enacted by June 30, 2007, the amounts provided in this subsection
6 shall lapse.

7 (b) The department shall not reduce field service contracts.

8 (3) INSTITUTIONAL SERVICES

9	General Fund--State Appropriation (FY 2008)	\$7,948,000
10	General Fund--State Appropriation (FY 2009)	(\$5,484,000)
11		<u>\$4,833,000</u>
12	General Fund--Federal Appropriation	(\$43,120,000)
13		<u>\$43,207,000</u>
14	General Fund--Private/Local Appropriation	(\$31,569,000)
15		<u>\$32,241,000</u>
16	TOTAL APPROPRIATION	(\$88,121,000)
17		<u>\$88,229,000</u>

18 **Sec. 1119.** 2009 c 4 s 221 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF HEALTH**

21	General Fund--State Appropriation (FY 2008)	\$81,232,000
22	General Fund--State Appropriation (FY 2009)	(\$80,596,000)
23		<u>\$80,719,000</u>
24	General Fund--Federal Appropriation	\$477,065,000
25	General Fund--Private/Local Appropriation	(\$119,875,000)
26		<u>\$135,219,000</u>
27	Hospital Commission Account--State Appropriation	(\$144,000)
28		<u>\$215,000</u>
29	Health Professions Account--State Appropriation	(\$68,726,000)
30		<u>\$69,054,000</u>
31	Aquatic Lands Enhancement Account--State	
32	Appropriation	\$600,000
33	Emergency Medical Services and Trauma Care Systems	
34	Trust Account--State Appropriation	\$12,606,000
35	Safe Drinking Water Account--State Appropriation	\$3,041,000
36	Public Health Services Account--State Appropriation	\$1,000,000
37	Drinking Water Assistance Account--Federal	

1	Appropriation	\$19,027,000
2	Waterworks Operator Certification--State	
3	Appropriation	\$1,513,000
4	Drinking Water Assistance Administrative Account--	
5	State Appropriation	\$326,000
6	Water Quality Account--State Appropriation	
7	(FY 2008)	\$1,975,000
8	Water Quality Account--State Appropriation	
9	(FY 2009)	\$1,983,000
10	State Toxics Control Account--State Appropriation	\$3,460,000
11	Medical Test Site Licensure Account--State	
12	Appropriation	\$2,055,000
13	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
14	Public Health Supplemental Account--Private/Local	
15	Appropriation	\$3,918,000
16	Accident Account--State Appropriation	\$291,000
17	Medical Aid Account--State Appropriation	\$48,000
18	Health Services Account--State	
19	Appropriation (FY 2008)	\$42,122,000
20	Health Services Account--State	
21	Appropriation (FY 2009)	(\$49,729,000)
22		<u>\$46,398,000</u>
23	Tobacco Prevention and Control Account--State	
24	Appropriation	(\$52,846,000)
25		<u>\$47,846,000</u>
26	TOTAL APPROPRIATION	(\$1,025,690,000)
27		<u>\$1,033,225,000</u>

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

30 (1) The department is authorized to raise existing fees charged for
31 its fee-supported programs in excess of the fiscal growth factor
32 pursuant to RCW 43.135.055, if necessary, to meet the actual costs of
33 conducting business and the appropriation levels in this section.
34 Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is further
35 authorized to increase fees in its fee-supported programs as necessary
36 to meet the actual costs of conducting business and the appropriation
37 levels in this section, as specifically authorized in LEAP Document

1 DOH-2008, as developed by the legislative evaluation and accountability
2 program on March 11, 2008.

3 (2) The department of health shall not initiate any services that
4 will require expenditure of state general fund moneys unless expressly
5 authorized in this act or other law. The department may seek, receive,
6 and spend, under RCW 43.79.260 through 43.79.282, federal moneys not
7 anticipated in this act as long as the federal funding does not require
8 expenditure of state moneys for the program in excess of amounts
9 anticipated in this act. If the department receives unanticipated
10 unrestricted federal moneys, those moneys shall be spent for services
11 authorized in this act or in any other legislation that provides
12 appropriation authority, and an equal amount of appropriated state
13 moneys shall lapse. Upon the lapsing of any moneys under this
14 subsection, the office of financial management shall notify the
15 legislative fiscal committees. As used in this subsection,
16 "unrestricted federal moneys" includes block grants and other funds
17 that federal law does not require to be spent on specifically defined
18 projects or matched on a formula basis by state funds.

19 (3) \$877,000 of the health professions account appropriation is
20 provided solely for implementation of Substitute House Bill No. 1099
21 (dental professions). If the bill is not enacted by June 30, 2007, the
22 amount provided in this subsection shall lapse.

23 (4) \$198,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$24,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the implementation of
26 Substitute House Bill No. 2304 (cardiac care services). If the bill is
27 not enacted by June 30, 2007, the amounts provided in this subsection
28 shall lapse.

29 (5) \$138,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$220,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for an evaluation of chronic care
32 provider training.

33 (6) \$51,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$24,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for the implementation of
36 Engrossed Substitute Senate Bill No. 5297 (sex education). If the bill
37 is not enacted by June 30, 2007, the amounts provided in this
38 subsection shall lapse.

1 (7) \$103,000 of the general fund--state appropriation for fiscal
2 year 2008 is provided solely for the implementation of Substitute House
3 Bill No. 1837 (nonambulatory persons). If the bill is not enacted by
4 June 30, 2007, the amount provided in this subsection shall lapse.

5 (8) \$201,000 of the general fund--private/local appropriation is
6 provided solely for the implementation of Substitute House Bill No.
7 2087 (health care facilities). If the bill is not enacted by June 30,
8 2007, the amount provided in this subsection shall lapse.

9 (9) \$293,000 of the general fund--state appropriation for fiscal
10 year 2008 and \$287,000 of the general fund--state appropriation for
11 fiscal year 2009 are provided solely for public service announcements
12 regarding childhood lead poisoning, information pamphlets, rule
13 development, and for early identification of persons at risk of having
14 elevated blood-lead levels, which includes systematically screening
15 children under six years of age and other target populations identified
16 by the department. Priority will be given to testing children and
17 increasing the registry in the lead surveillance program.

18 (10) \$101,000 of the general fund--state appropriation for fiscal
19 year 2008, \$81,000 of the general fund--state appropriation for fiscal
20 year 2009, and \$6,000 of the general fund--private/local appropriation
21 are provided solely for the implementation of Engrossed Second
22 Substitute House Bill No. 1414 (ambulatory surgical facilities). If
23 the bill is not enacted by June 30, 2007, the amounts provided in this
24 subsection shall lapse.

25 (11) \$55,000 of the health professions account appropriation is
26 provided solely for the implementation of Substitute House Bill No.
27 1397 (massage therapy). If the bill is not enacted by June 30, 2007,
28 the amount provided in this subsection shall lapse.

29 (12) \$58,000 of the general fund--private/local appropriation is
30 provided solely for the implementation of Senate Bill No. 5398
31 (specialty hospitals). If the bill is not enacted by June 30, 2007,
32 the amount provided in this subsection shall lapse.

33 (13) \$34,000 of the general fund--state appropriation for fiscal
34 year 2008, \$44,000 of the general fund--state appropriation for fiscal
35 year 2009, and \$224,000 of the oyster reserve land account--state
36 appropriation are provided solely for the implementation of Engrossed
37 Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill

1 is not enacted by June 30, 2007, the amounts provided in this
2 subsection shall lapse.

3 (14) \$571,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$458,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for the implementation of Second
6 Substitute House Bill No. 1106 (hospital acquired infections). If the
7 bill is not enacted by June 30, 2007, the amounts provided in this
8 subsection shall lapse.

9 (15) \$4,000,000 of the general fund--state appropriation for fiscal
10 year 2008, \$5,000,000 of the general fund--state appropriation for
11 fiscal year 2009, and \$1,000,000 of the public health services
12 account--state appropriation are provided solely for department of
13 health-funded family planning clinics to increase the capacity of the
14 clinics to provide family planning and reproductive health services to
15 low-income men and women who are not otherwise eligible for services
16 through the department of social and health services medical assistance
17 program and for clinical or other health services associated with
18 sexually transmitted disease testing through the infertility prevention
19 project. Funds appropriated and expended under this subsection for
20 fiscal year 2009 shall be distributed in a manner that allocates
21 funding to department of health-funded family planning clinics based
22 upon the percentage of medical assistance family planning waiver
23 clients in calendar year 2005 who received services from a provider
24 located in the geographic area served by the department of
25 health-funded clinic. Of these amounts, the department is authorized
26 to expend up to \$1,000,000 of its general fund--state appropriation for
27 fiscal year 2009 for services provided in fiscal year 2008, if
28 necessary, to offset reductions in federal funding.

29 (16) \$1,000,000 of the general fund--state appropriation for fiscal
30 year 2008 is for one-time funding to purchase and store antiviral
31 medications to be used in accordance with the state pandemic influenza
32 response plan. These drugs are to be purchased through the United
33 States department of health and human services to take advantage of
34 federal subsidies.

35 (17) \$147,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$32,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the department of health to
38 provide relevant information on measures taken to facilitate expanded

1 use of reclaimed water pursuant to Engrossed Second Substitute Senate
2 Bill No. 6117 (reclaimed water). If the bill is not enacted by June
3 30, 2007, the amounts provided in this subsection shall lapse.

4 (18) \$550,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$550,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for the lifelong AIDS alliance to
7 restore lost federal funding.

8 (19) \$250,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$250,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely for medical nutritional therapy
11 for people with HIV/AIDS and other low-income residents in King county
12 with chronic illnesses.

13 (20) \$645,000 of the general fund--state appropriation for fiscal
14 year 2008 and \$645,000 of the general fund--state appropriation for
15 fiscal year 2009 are provided solely for the neurodevelopmental center
16 system, which provides therapy and medical services for young, low-
17 income children with developmental disabilities.

18 (21) \$100,000 of the general fund--state appropriation for fiscal
19 year 2008 is provided solely to continue the autism task force
20 established by chapter 259, Laws of 2005, through June 30, 2008. The
21 task force shall:

22 (a) Review and continue to refine criteria for regional autism
23 centers throughout Washington state based on community needs in each
24 area, and address the role of autism centers within the larger context
25 of developmental disabilities;

26 (b) Prioritize its December 2006 recommendations and develop an
27 implementation plan for the highest priorities. The plan should detail
28 how systems will coordinate to improve service and avoid duplication
29 between state agencies including the department of social and health
30 services, department of health, office of superintendent of public
31 instruction, as well as school districts, autism centers, and local
32 partners and providers. The plan shall also estimate the costs of the
33 highest priority recommendations and report to the legislature and
34 governor by December 1, 2007;

35 (c) Compile information for and draft the "Washington Service
36 Guidelines for Individuals with Autism - Birth Through Lifespan" book
37 described in the task force's recommendations. Funding to print and

1 distribute the book is expected to come from federal or private
2 sources; and

3 (d) Monitor the federal combating autism act and its funding
4 availability and make recommendations on applying for grants to assist
5 in implementation of the 2006 task force recommendations. The
6 department of health shall be the lead agency in providing staff for
7 the task force. The department may seek additional staff assistance
8 from the office of the superintendent of public instruction and the
9 committee staff of the legislature. Nonlegislative members, except
10 those representing an employer or organization, are entitled to be
11 reimbursed for travel expenses.

12 (22) \$200,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$200,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for implementation of the
15 Washington state hepatitis C strategic plan.

16 (23) \$142,000 of the health professions account appropriation is
17 provided solely for the implementation of Engrossed Substitute Senate
18 Bill No. 5403 (animal massage practitioners). If the bill is not
19 enacted by June 30, 2007, the amount provided in this subsection shall
20 lapse.

21 (24) \$174,000 of the health professions account appropriation is
22 provided solely for the implementation of Substitute Senate Bill No.
23 5503 (athletic trainers). If the bill is not enacted by June 30, 2007,
24 the amount provided in this subsection shall lapse.

25 (25) \$75,000 of the health professions account appropriation is
26 provided solely for the implementation of Engrossed Substitute Senate
27 Bill No. 5292 (physical therapist assistants). If the bill is not
28 enacted by June 30, 2007, the amount provided in this subsection shall
29 lapse.

30 (26) \$94,000 of the general fund--state appropriation for fiscal
31 year 2008 is provided solely to implement Engrossed Second Substitute
32 Senate Bill No. 6032 (medical use of marijuana). If the bill is not
33 enacted by June 30, 2007, the amount provided in this subsection shall
34 lapse.

35 (27) \$386,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$384,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the implementation of

1 Engrossed Substitute Senate Bill No. 5894 (large on-site sewage
2 systems). If the bill is not enacted by June 30, 2007, the amounts
3 provided in this subsection shall lapse.

4 (28) \$1,721,000 of the health professions account appropriation is
5 provided solely for the implementation of sections 11 and 12 (medical
6 information) of Engrossed Second Substitute Senate Bill No. 5930 (blue
7 ribbon commission on health care). If the sections are not enacted by
8 June 30, 2007, the amount provided in this subsection shall lapse.

9 (29) \$10,000,000 of the health services account--state
10 appropriation for fiscal year 2008 and \$10,000,000 of the health
11 services account--state appropriation for fiscal year 2009 are provided
12 solely for distribution to local health jurisdictions and for the costs
13 of administering the public health related sections of Engrossed Second
14 Substitute Senate Bill No. 5930 (blue ribbon commission on health
15 care), subject to the following conditions and limitations:

16 (a) During the month of January 2008, and January 2009, the
17 department of health shall distribute funds appropriated in this
18 section to local health jurisdictions, less an amount not to exceed
19 five percent for the costs of administering the public health related
20 sections of Engrossed Second Substitute Senate Bill No. 5930 (blue
21 ribbon commission on health care). The amount of funding for
22 distribution to a jurisdiction before the administrative deduction
23 shall be the greater of: (i) One hundred thousand dollars; or (ii) (A)
24 a base level of funding of seventy-five thousand dollars plus the per
25 capita amount, for a jurisdiction with a population of four hundred
26 thousand persons or fewer; or (B) a base level of funding of twenty-
27 five thousand dollars plus the per capita amount, for a jurisdiction
28 with a population greater than four hundred thousand persons. Amounts
29 distributed under this subsection must be used to fund core public
30 health functions of statewide significance as defined in Engrossed
31 Second Substitute Senate Bill No. 5930 (blue ribbon commission on
32 health care).

33 (b) For the purposes of this subsection:

34 (i) "Per capita amount" means an amount equal to seven million five
35 hundred thousand dollars multiplied by the proportion of the population
36 of the jurisdiction in the previous calendar year to the population of
37 the state in the previous calendar year.

1 (ii) "Population" means the number of persons as last determined by
2 the office of financial management. If the jurisdiction comprises a
3 single county, "population" means the number of persons in the county.
4 For a jurisdiction comprising two or more counties, "population" means
5 the number of persons in all counties comprising the jurisdiction.

6 (iii) "Local health jurisdiction" or "jurisdiction" means a county
7 board of health organized under chapter 70.05 RCW, a health district
8 organized under chapter 70.46 RCW, or a combined city and county health
9 department organized under chapter 70.08 RCW.

10 (c) The department may adopt rules necessary to administer this
11 subsection.

12 (30) \$15,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$35,000 of the health professions account--state
14 appropriation are provided solely for an evaluation of the economic
15 benefits to the state's health care system of the midwifery licensure
16 and regulatory program under chapter 18.50 RCW. In particular, the
17 department shall contract with a consultant to conduct a review of
18 existing research literature on whether these economic benefits exceed
19 the state expenditures to subsidize the cost of the midwifery licensing
20 and regulatory program under RCW 43.70.250. The evaluation shall
21 include an assessment of the economic benefits to consumers who elect
22 to have out-of-hospital births with midwives, including any reduced use
23 of procedures that increase the costs of childbirth. The department
24 shall submit the report to the appropriate policy and fiscal committees
25 of the legislature by January 1, 2008.

26 (31) \$147,000 of the health professions account--state
27 appropriation is provided solely for the department of health to
28 convene a work group to develop recommendations regarding the need to
29 regulate those individuals currently registered with the department of
30 health as counselors. The department of health shall submit
31 recommendations of the work group to the legislature and governor by
32 November 15, 2007. Based on the recommendations of the work group, the
33 department of health shall draft credentialing guidelines for all
34 registered counselors by January 1, 2008. Guidelines shall include
35 education in risk assessment, ethics, professional standards, and
36 deadlines for compliance.

37 (32) \$100,000 of the general fund--state appropriation for fiscal
38 year 2009 is provided solely for the implementation of Second

1 Substitute Senate Bill No. 6483 (local food production). If the bill
2 is not enacted by June 30, 2008, the amount provided in this subsection
3 shall lapse.

4 (33) \$400,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely for the senior falls prevention pilot
6 program, pursuant to section 7 of Engrossed Second Substitute House
7 Bill No. 2668 (long-term care programs).

8 (34) \$585,000 of the general fund--state appropriation for fiscal
9 year 2009 is provided solely for the Washington state breast and
10 cervical health program to increase the provider reimbursement rate for
11 digital mammographies to the medicare equivalent rate.

12 (35) \$100,000 of the general fund--state appropriation for fiscal
13 year 2009 is provided solely for the child death review program. The
14 program shall be transferred from the community and family health
15 division to the injury prevention division within the department.

16 (36) \$100,000 of the general fund--state appropriation for fiscal
17 year 2009 is provided solely for the northwest sickle cell
18 collaborative program.

19 (37) \$77,000 of the general fund--state appropriation for fiscal
20 year 2008 and \$154,000 of the general fund--state appropriation for
21 fiscal year 2009 are provided solely for the restoration of
22 maxillofacial/cleft palate teams in Yakima, Spokane, Seattle, and
23 Tacoma.

24 (38) \$17,000 of the health professions account--state appropriation
25 is provided solely to implement Second Substitute Senate Bill No. 6220
26 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute
27 House Bill No. 2668 (long-term care programs). If neither bill is
28 enacted by June 30, 2008, the amount provided in this subsection shall
29 lapse.

30 (39) \$11,000 of the health professions account--state appropriation
31 is provided solely to implement Substitute Senate Bill No. 6439
32 (radiologist assistants). If the bill is not enacted by June 30, 2008,
33 the amount provided in this subsection shall lapse.

34 (40) \$115,000 of the general fund--state appropriation for fiscal
35 year 2009 and \$4,261,000 of the health professions account--state
36 appropriation are provided solely for implementation of Fourth
37 Substitute House Bill No. 1103 (health professions). If the bill is

1 not enacted by June 30, 2008, the amounts provided in this subsection
2 shall lapse.

3 (41) \$558,000 of the health professions account--state
4 appropriation is provided solely for implementation of Second
5 Substitute House Bill No. 2674 (counselor credentialing). If the bill
6 is not enacted by June 30, 2008, the amount provided in this subsection
7 shall lapse.

8 (42) The department of licensing and the department of health shall
9 jointly review and report to the appropriate policy committees of the
10 legislature by December 1, 2008, recommendations for implementing a
11 process of holding in abeyance for up to six months following the
12 conclusion of active duty service the expiration of, and currency
13 requirements for, professional licenses and certificates for
14 individuals who have been called to active duty military service.

15 (43) The higher education coordinating board, the department of
16 licensing, and the department of health shall jointly review and report
17 to appropriate policy committees of the legislature by December 1,
18 2008, on barriers and opportunities for increasing the extent to which
19 veterans separating from duty are able to apply skills sets and
20 education required while in service to certification, licensure, and
21 degree requirements.

22 (44) \$35,000 of the general fund--state appropriation for fiscal
23 year 2009 and \$80,000 of the state toxics control account--state
24 appropriation for fiscal year 2009 are provided solely for the
25 implementation of Engrossed Second Substitute House Bill No. 2647
26 (children's safe products). If the bill is not enacted by June 30,
27 2008, the amounts provided in this subsection shall lapse.

28 (45) \$143,000 of the general fund--state appropriation for fiscal
29 year 2009 is provided solely for Substitute Senate Bill No. 6340 (water
30 system program). If the bill is not enacted by June 30, 2008, the
31 amount provided in this subsection shall lapse.

32 (46) \$194,000 of the general fund--state appropriation for fiscal
33 year 2009 is provided solely for Engrossed Second Substitute House Bill
34 No. 2549 (patient-centered care). If the bill is not enacted by June
35 30, 2008, the amount provided in this subsection shall lapse.

36 (47) \$96,000 of the health professions account--state appropriation
37 is provided solely for the implementation of Substitute House Bill No.

1 2881 (practice of dentistry). If the bill is not enacted by June 30,
2 2008, the amount provided in this subsection shall lapse.

3 (48) \$130,000 of the general fund--state appropriation for fiscal
4 year 2009 is provided solely for the midwifery licensure and regulatory
5 program to offset a reduction in revenue from fees. There shall be no
6 change to the current annual fees for new or renewed licenses for the
7 midwifery program. The department shall convene the midwifery advisory
8 committee on a quarterly basis to address issues related to licensed
9 midwifery.

10 (49) \$900,000 of the general fund--state appropriation for fiscal
11 year 2009 is provided solely for the Washington colon health program.
12 Through the program, the department shall provide grants to
13 participating counties to provide free colorectal screening exams to
14 individuals fifty to sixty-four years old who are below two hundred
15 fifty percent of the federal poverty level.

16 (50) In addition to other reductions, the reduced appropriations in
17 this section reflect an additional \$90,000 reduction in administrative
18 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing
19 state government administrative costs). These administrative
20 reductions shall be achieved, to the greatest extent possible, by
21 reducing those administrative costs that do not affect direct client
22 services or direct service delivery or programs.

23 **Sec. 1120.** 2008 c 329 s 223 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF CORRECTIONS.** ((+1)) The appropriations to
26 the department of corrections in this act shall be expended for the
27 programs and in the amounts specified herein. However, after May 1,
28 ((2008)) 2009, after approval by the director of financial management
29 and unless specifically prohibited by this act, the department may
30 transfer general fund--state appropriations for fiscal year ((2008))
31 2009 between programs. The department shall not transfer funds, and
32 the director of financial management shall not approve the transfer,
33 unless the transfer is consistent with the objective of conserving, to
34 the maximum extent possible, the expenditure of state funds and not
35 federal funds. The director of financial management shall notify the
36 appropriate fiscal committees of the senate and house of
37 representatives in writing seven days prior to approving any deviations

1 from appropriation levels. The written notification shall include a
2 narrative explanation and justification of the changes(~~(, along with~~
3 ~~expenditures and allotments by budget unit and appropriation, both~~
4 ~~before and after any allotment modifications or transfers.~~

5 ~~(2) The department may transfer up to \$15,000,000 of the general~~
6 ~~fund state appropriation for fiscal year 2009 into fiscal year 2008,~~
7 ~~if deemed necessary by the department and approved in advance by the~~
8 ~~director of financial management. The director of financial management~~
9 ~~shall notify the fiscal committees of the legislature in writing seven~~
10 ~~days prior to approving a transfer under this subsection. The written~~
11 ~~notification shall include a narrative explanation and justification of~~
12 ~~the transfer including allotment detail by program, budget object, and~~
13 ~~budget unit for both fiscal years, both before and after any~~
14 ~~transfers)).~~

15 **Sec. 1121.** 2009 c 4 s 222 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF CORRECTIONS**

18 (1) ADMINISTRATION AND SUPPORT SERVICES

19 General Fund--State Appropriation (FY 2008)	\$57,545,000
20 General Fund--State Appropriation (FY 2009)	((\$52,652,000))
21	<u>\$52,320,000</u>
22 Washington Auto Theft Prevention Authority Account--	
23 State Appropriation	\$169,000
24 Violence Reduction and Drug Enforcement	
25 Account--State Appropriation (FY 2008)	\$13,000
26 Violence Reduction and Drug Enforcement	
27 Account--State Appropriation (FY 2009)	\$13,000
28 Public Safety and Education Account--State	
29 Appropriation (FY 2008)	\$1,467,000
30 Public Safety and Education Account--State	
31 Appropriation (FY 2009)	\$1,481,000
32 Pension Funding Stabilization Account--State	
33 Appropriation	\$1,280,000
34 TOTAL APPROPRIATION	((\$114,620,000))
35	<u>\$114,288,000</u>

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

1 (a) \$9,389,000 of the general fund--state appropriation for fiscal
2 year 2008 is provided solely for the completion of phase three of the
3 department's offender-based tracking system replacement project. This
4 amount is conditioned on the department satisfying the requirements of
5 section 902 of this act.

6 (b) \$35,000 of the general fund--state appropriation for fiscal
7 year 2008 and \$35,000 of the general fund--state appropriation for
8 fiscal year 2009 are provided solely for the establishment and support
9 of a statewide council on mentally ill offenders that includes as its
10 members representatives of community-based mental health treatment
11 programs, current or former judicial officers, and directors and
12 commanders of city and county jails and state prison facilities. The
13 council will begin to investigate and promote cost-effective approaches
14 to meeting the long-term needs of adults and juveniles with mental
15 disorders who have a history of offending or who are at-risk of
16 offending, including their mental health, physiological, housing,
17 employment, and job training needs.

18 (c) \$169,000 of the Washington auto theft prevention authority
19 account--state appropriation for fiscal year 2008 is provided solely
20 for the implementation of Engrossed Third Substitute House Bill No.
21 1001 (auto theft). If the bill is not enacted by June 30, 2007, the
22 amount provided in this subsection shall lapse.

23 (d) \$102,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$95,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the implementation of
26 Engrossed Second Substitute House Bill No. 1422 (incarcerated parents).
27 If the bill is not enacted by June 30, 2007, the amounts provided in
28 this subsection shall lapse.

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

35 (f) \$314,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$294,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for four additional staff to
38 collect and analyze data for programs funded through the offender

1 reentry initiative and collect, analyze, and disseminate information
2 required by the GMAP process, performance audits, data requests, and
3 quality assessments and assurances.

4 (g) \$32,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely for implementation of Substitute Senate
6 Bill No. 6244 (conversion of facilities to house violators of community
7 supervision). If the bill is not enacted by June 30, 2008, the amount
8 provided in this subsection shall lapse.

9 (h) \$150,000 of the general fund--state appropriation for fiscal
10 year 2009 is provided solely to implement Engrossed Second Substitute
11 House Bill No. 2712 (criminal street gangs). If the bill is not
12 enacted by June 30, 2008, the amount provided in this subsection shall
13 lapse.

14 (2) CORRECTIONAL OPERATIONS

15	General Fund--State Appropriation (FY 2008)	((\$601,402,000))
16		<u>\$616,402,000</u>
17	General Fund--State Appropriation (FY 2009)	((\$647,608,000))
18		<u>\$655,534,000</u>
19	General Fund--Federal Appropriation	((\$4,157,000))
20		<u>\$3,941,000</u>
21	Public Safety and Education Account--State	
22	Appropriation (FY 2008)	\$1,050,000
23	Public Safety and Education Account--State	
24	Appropriation (FY 2009)	\$1,350,000
25	Washington Auto Theft Prevention Authority Account--	
26	State Appropriation	\$1,338,000
27	Violence Reduction and Drug Enforcement	
28	Account--State Appropriation (FY 2008)	\$1,492,000
29	Violence Reduction and Drug Enforcement	
30	Account--State Appropriation (FY 2009)	\$1,492,000
31	Pension Funding Stabilization Account--State	
32	Appropriation	\$11,800,000
33	TOTAL APPROPRIATION	((\$1,271,689,000))
34		<u>\$1,294,399,000</u>

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

37 (a) The department may expend funds generated by contractual
38 agreements entered into for mitigation of severe overcrowding in local

1 jails. Any funds generated in excess of actual costs shall be
2 deposited in the state general fund. Expenditures shall not exceed
3 revenue generated by such agreements and shall be treated as a recovery
4 of costs.

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

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

13 (d) During the 2007-09 biennium, when contracts are established or
14 renewed for offender pay phone and other telephone services provided to
15 inmates, the department shall select the contractor or contractors
16 primarily based on the following factors: (i) The lowest rate charged
17 to both the inmate and the person paying for the telephone call; and
18 (ii) the lowest commission rates paid to the department, while
19 providing reasonable compensation to cover the costs of the department
20 to provide the telephone services to inmates and provide sufficient
21 revenues for the activities funded from the institutional welfare
22 betterment account.

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

28 (f) \$358,000 of the Washington auto theft prevention authority
29 account--state appropriation for fiscal year 2008 and \$980,000 of the
30 Washington auto theft prevention authority account--state appropriation
31 for fiscal year 2009 are provided solely for the implementation of
32 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the
33 bill is not enacted by June 30, 2007, the amounts provided in this
34 subsection shall lapse.

35 (g) \$22,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$22,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the implementation of

1 Substitute House Bill No. 1097 (vulnerable adults). If the bill is not
2 enacted by June 30, 2007, the amounts provided in this subsection shall
3 lapse.

4 (h) \$22,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$22,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for the implementation of
7 Substitute House Bill No. 1319 (correctional agency employee). If the
8 bill is not enacted by June 30, 2007, the amounts provided in this
9 subsection shall lapse.

10 (i) \$87,000 of the general fund--state appropriation for fiscal
11 year 2008 and \$87,000 of the general fund--state appropriation for
12 fiscal year 2009 are provided solely for the implementation of House
13 Bill No. 1592 (sentence review board). If the bill is not enacted by
14 June 30, 2007, the amounts provided in this subsection shall lapse.

15 (j) \$544,000 of the general fund--state appropriation for fiscal
16 year 2008 and \$496,000 of the general fund--state appropriation for
17 fiscal year 2009 are provided solely for development of individual
18 reentry plans to prepare offenders for release into the community as
19 generally described in Engrossed Substitute Senate Bill No. 6157
20 (offender recidivism). Individual reentry plans shall be based on an
21 assessment of the offender using a standardized and comprehensive tool.
22 The individual reentry plan may be one document, or may be a series of
23 individual plans that combine to meet the requirements. The individual
24 reentry plan shall, at a minimum, include:

25 (i) A plan to maintain contact with the inmate's children and
26 family, if appropriate. The plan should determine whether parenting
27 classes, or other services, are appropriate;

28 (ii) A description of the offender's education, certifications,
29 work experience, skills, and training; and

30 (iii) A plan for the offender during the period of incarceration
31 through reentry into the community that addresses the needs of the
32 offender including education, employment, substance abuse treatment,
33 mental health treatment, and family reunification. The individual
34 reentry plan shall be updated as appropriate during the period of
35 incarceration, and prior to the inmate's release to address public
36 safety concerns, consistency with the offender risk management level
37 assigned by the department, housing, and connecting with a community

1 justice center in the area in which the offender will be residing, if
2 a community justice center is located in that area.

3 (iv) If the appropriation in this subsection is not sufficient for
4 this program, the department shall prioritize the use of available
5 funds.

6 (3) COMMUNITY SUPERVISION

7	General Fund--State Appropriation (FY 2008)	\$133,157,000
8	General Fund--State Appropriation (FY 2009)	(\$145,881,000)
9		<u>\$146,344,000</u>
10	General Fund--Federal Appropriation	\$416,000
11	Public Safety and Education Account--State	
12	Appropriation (FY 2008)	\$9,319,000
13	Public Safety and Education Account--State	
14	Appropriation (FY 2009)	\$9,370,000
15	Pension Funding Stabilization Account--State	
16	Appropriation	\$2,800,000
17	TOTAL APPROPRIATION	(\$300,943,000)
18		<u>\$301,406,000</u>

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

21 (a) The department shall accomplish personnel reductions with the
22 least possible impact on correctional custody staff, community custody
23 staff, and correctional industries. For the purposes of this
24 subsection, correctional custody staff means employees responsible for
25 the direct supervision of offenders.

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

34 (c) \$1,167,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$2,295,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely for the establishment and
37 operation of community justice centers by the department as generally

1 described in Engrossed Substitute Senate Bill No. 6157 (offender
2 recidivism). At a minimum, a community justice center shall include:

3 (i) A violator program to allow the department to utilize a range
4 of available sanctions for offenders who violate conditions of their
5 supervision;

6 (ii) An employment opportunity program to assist an offender in
7 finding employment;

8 (iii) On-site services or resources for connecting offenders with
9 services such as mental health and substance abuse treatment,
10 transportation, training, family reunification, and community services;
11 and

12 (iv) The services of a transition coordinator to facilitate
13 connections between the former offender and the community. The
14 transition coordinator shall provide information to former offenders
15 regarding services available to them in the community including, but
16 not limited to housing assistance, employment assistance, education,
17 vocational training, parent education, financial literacy, treatment
18 for substance abuse, mental health, anger management, and shall assist
19 offenders in their efforts to access needed services.

20 (v) If the appropriation in this subsection is not sufficient for
21 this program, the department shall prioritize the use of available
22 funds.

23 (4) CORRECTIONAL INDUSTRIES

24	General Fund--State Appropriation (FY 2008)	\$1,001,000
25	General Fund--State Appropriation (FY 2009)	\$2,357,000
26	TOTAL APPROPRIATION	\$3,358,000

27 The appropriations in this subsection are subject to the following
28 conditions and limitations: \$124,000 of the general fund--state
29 appropriation for fiscal year 2008 and \$132,000 of the general fund--
30 state appropriation for fiscal year 2009 are provided solely for
31 transfer to the jail industries board. The board shall use the amounts
32 provided only for administrative expenses, equipment purchases, and
33 technical assistance associated with advising cities and counties in
34 developing, promoting, and implementing consistent, safe, and efficient
35 offender work programs.

36 (5) INTERAGENCY PAYMENTS

37	General Fund--State Appropriation (FY 2008)	\$35,036,000
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1 General Fund--State Appropriation (FY 2009) (~~(\$28,082,000)~~)
2 \$29,043,000
3 TOTAL APPROPRIATION (~~(\$63,118,000)~~)
4 \$64,079,000

5 The appropriations in this subsection are subject to the following
6 conditions and limitations: \$35,000 of the general fund--state
7 appropriation for fiscal year 2008 is provided solely for expenditures
8 related to the *Farrakhan v. Locke* litigation.

9 **Sec. 1122.** 2009 c 4 s 223 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**
12 General Fund--State Appropriation (FY 2008) \$2,566,000
13 General Fund--State Appropriation (FY 2009) \$2,375,000
14 General Fund--Federal Appropriation (~~(\$17,584,000)~~)
15 \$18,757,000
16 General Fund--Private/Local Appropriation \$20,000
17 TOTAL APPROPRIATION (~~(\$22,545,000)~~)
18 \$23,718,000

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

21 (1) \$4,000 of the general fund--state appropriation for fiscal year
22 2008 and \$4,000 of the general fund--state appropriation for fiscal
23 year 2009 are provided solely for an adjustment to the agency lease
24 rate for space occupied and parking in the Tacoma Rhodes center. The
25 department of general administration shall increase lease rates to meet
26 the cash gain/loss break-even point for the Tacoma Rhodes center
27 effective July 1, 2007.

28 (2) The department shall not reduce and shall continue to provide
29 funding for contracted services that provide employment support and
30 help with life activities for deaf and blind individuals in King
31 county.

32 **Sec. 1123.** 2009 c 4 s 225 (uncodified) is amended to read as
33 follows:

34 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**
35 General Fund--State Appropriation (FY 2008) \$60,000
36 General Fund--State Appropriation (FY 2009) \$272,000

1 This amount is authorized to fund the unemployment insurance tax
2 information system (TAXIS) technology initiative for the employment
3 security department.

4 (6) \$430,000 of the unemployment compensation administration
5 account--federal appropriation is provided from amounts made available
6 to the state by section 903(d) of the social security act (Reed act).
7 This amount is authorized to replace high-risk servers used by the
8 unemployment security department.

9 (7) \$503,000 of the unemployment compensation administration
10 account--federal appropriation is provided from amounts made available
11 to the state by section 903(d) of the social security act (Reed act).
12 This amount is authorized to provide a system to track computer
13 upgrades and changes for the unemployment security department.

14 (8) \$183,000 of the unemployment compensation administration
15 account--federal appropriation is provided from the amounts made
16 available to the state by section 903(d) of the social security act
17 (Reed Act). This amount is authorized to conduct a feasibility study
18 to integrate job search data systems.

19 (9) \$2,331,000 of the unemployment compensation administration
20 account--federal appropriation is provided from amounts made available
21 to the state by section 903(d) of the social security act (Reed Act).
22 This amount is authorized for hardware and software to ensure the
23 ongoing, reliable operation of the telecenters.

24 (10) \$488,000 of the unemployment compensation administration
25 account--federal appropriation is provided from amounts made available
26 to the state by section 903(d) of the social security act (Reed Act).
27 This amount is authorized for the relocation of the WorkSource office
28 in Lakewood.

29 (11) \$1,764,000 of the family leave insurance account--state
30 appropriation is provided solely for implementation of the family leave
31 insurance program.

32 ~~((a) The amount provided in this subsection assumes that, in~~
33 ~~developing the information technology systems to support the payment of~~
34 ~~benefits, the department will incorporate the claim filing and benefit~~
35 ~~payment efficiencies recommended by the joint legislative task force on~~
36 ~~family leave insurance in Part III of its final report dated January~~
37 ~~23, 2008, including:~~

1 ~~(i) Eliminating the option for awarding attorney fees and costs for~~
2 ~~administrative hearings;~~

3 ~~(ii) Authorizing claims for benefits to be filed in the six-week~~
4 ~~period beginning on the first day of the calendar week in which the~~
5 ~~individual is on family leave;~~

6 ~~(iii) Not requiring claimants to verify the birth of a child or the~~
7 ~~placement of a child for adoption;~~

8 ~~(iv) Including an attestation from the claimant that written notice~~
9 ~~has been provided to the employer of the intention to take family~~
10 ~~leave; and~~

11 ~~(v) Not deducting and withholding federal income taxes from benefit~~
12 ~~payments.~~

13 ~~(b) In addition, the department shall incorporate the following~~
14 ~~claim filing and benefit payment efficiencies:~~

15 ~~(i) Define "qualifying year" to mean the first four of the last~~
16 ~~five completed calendar quarters or, if eligibility is not established,~~
17 ~~the last four completed calendar immediately preceding the first day of~~
18 ~~the application year;~~

19 ~~(ii) Allow individuals to file a claim for benefits in the six-week~~
20 ~~period beginning on the first day of the calendar year in which the~~
21 ~~individual is on family leave; and~~

22 ~~(iii) After an initial family leave insurance benefit is paid,~~
23 ~~subsequent payments must be made biweekly, rather than semimonthly,~~
24 ~~thereafter.))~~

25 (12) \$222,000 of the general fund--state appropriation for fiscal
26 year 2009 is provided solely to implement Engrossed Second Substitute
27 House Bill No. 2815 (greenhouse gas emissions). If the bill is not
28 enacted by June 30, 2008, the amounts provided in this subsection shall
29 lapse.

30 (13) \$155,000 of the unemployment compensation administration
31 account--federal appropriation is provided solely to implement Second
32 Substitute Senate Bill No. 6732 (construction industry). If the bill
33 is not enacted by June 30, 2008, the amounts provided in this
34 subsection shall lapse.

(End of part)

PART XII
NATURAL RESOURCES

Sec. 1201. 2009 c 4 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2008)	\$524,000
General Fund--State Appropriation (FY 2009)	\$509,000
General Fund--Federal Appropriation	\$9,000
General Fund--Private/Local Appropriation	(\$1,044,000)
	<u>\$1,017,000</u>
TOTAL APPROPRIATION	(\$2,086,000)
	<u>\$2,059,000</u>

Sec. 1202. 2009 c 4 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2008)	\$50,109,000
General Fund--State Appropriation (FY 2009)	(\$45,748,000)
	<u>\$45,561,000</u>
General Fund--Federal Appropriation	\$83,013,000
General Fund--Private/Local Appropriation	\$13,618,000
Special Grass Seed Burning Research	
Account--State Appropriation	\$14,000
Reclamation Account--State Appropriation	\$4,207,000
Flood Control Assistance Account--State Appropriation	\$4,151,000
Aquatic Lands Enhancement Account--State Appropriation	\$400,000
State Emergency Water Projects Revolving	
Account--State Appropriation	\$390,000
Waste Reduction/Recycling/Litter	
Control--State Appropriation	\$19,588,000
State Drought Preparedness--State Appropriation	\$115,000
State and Local Improvements Revolving Account	
(Water Supply Facilities)--State Appropriation	\$421,000
Vessel Response Account--State Appropriation	\$1,604,000
Freshwater Aquatic Algae Control Account--State	
Appropriation	\$509,000

1	Site Closure Account--State Appropriation	\$694,000
2	Water Quality Account--State Appropriation	
3	(FY 2008)	\$15,137,000
4	Water Quality Account--State Appropriation	
5	(FY 2009)	\$16,493,000
6	Wood Stove Education and Enforcement Account--State	
7	Appropriation	\$370,000
8	Worker and Community Right-to-Know Account--State	
9	Appropriation	\$2,247,000
10	State Toxics Control Account--State Appropriation	(\$99,235,000)
11		<u>\$95,125,000</u>
12	State Toxics Control Account--Private/Local	
13	Appropriation	\$381,000
14	Local Toxics Control Account--State Appropriation	\$20,952,000
15	Water Quality Permit Account--State Appropriation	\$34,022,000
16	Underground Storage Tank Account--State	
17	Appropriation	\$3,635,000
18	Biosolids Permit Account--State Appropriation	\$1,396,000
19	Hazardous Waste Assistance Account--State	
20	Appropriation	\$5,834,000
21	Air Pollution Control Account--State Appropriation	\$6,306,000
22	Oil Spill Prevention Account--State Appropriation	\$12,205,000
23	Air Operating Permit Account--State Appropriation	\$2,680,000
24	Freshwater Aquatic Weeds Account--State Appropriation	\$1,690,000
25	Oil Spill Response Account--State Appropriation	\$7,078,000
26	Metals Mining Account--State Appropriation	\$14,000
27	Water Pollution Control Revolving Account--State	
28	Appropriation	\$464,000
29	Water Pollution Control Revolving Account--Federal	
30	Appropriation	\$2,271,000
31	Columbia River Water Delivery Account--State	
32	Appropriation	\$2,150,000
33	TOTAL APPROPRIATION	(\$459,141,000)
34		<u>\$454,844,000</u>

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

37 (1) \$170,000 of the oil spill prevention account--state
38 appropriation is provided solely for a contract with the University of

1 Washington's sea grant program to continue an educational program
2 targeted to small spills from commercial fishing vessels, ferries,
3 cruise ships, ports, and marinas.

4 (2) \$256,000 of the general fund--state appropriation for fiscal
5 year 2008, \$209,000 of the general fund--state appropriation for fiscal
6 year 2009, and \$200,000 of the general fund--private local
7 appropriation are provided solely to implement activities associated
8 with a regional haze program. Funds shall be collected and expended in
9 accordance with the terms of the contract entered into with affected
10 businesses and the department of ecology.

11 (3) \$2,000,000 of the local toxics control account--state
12 appropriation is provided solely to local governments outside of Puget
13 Sound for municipal storm water programs, including but not limited to,
14 implementation of phase II municipal storm water permits, source
15 control for toxics in association with cleanup of contaminated sediment
16 sites, and source control programs for shellfish protection districts
17 where storm water is a significant contributor.

18 (4) Fees approved by the department of ecology in the 2007-09
19 biennium are authorized to exceed the fiscal growth factor under RCW
20 43.135.055. Pursuant to RCW 43.135.055, the department is further
21 authorized to increase the following fees in fiscal year 2009 as
22 necessary to meet the actual costs of conducting business and the
23 appropriation levels in this section: Wastewater discharge permit, not
24 more than 5.57 percent; dam periodic inspection permit, not more than
25 5.57 percent; dam construction permit, not more than 5.57 percent; and
26 mixed waste management, not more than 14.14 percent.

27 (5) \$1,000,000 of the general fund--state appropriation for fiscal
28 year 2008 and \$927,000 of the general fund--state appropriation for
29 fiscal year 2009 are provided solely to improve the performance of
30 wetland mitigation. Of this amount, \$55,000 of the general fund--state
31 appropriation for fiscal year 2008 and \$55,000 of the general fund--
32 state appropriation for fiscal year 2009 are provided solely to support
33 a wetland in Whatcom county. The program will engage local, state, and
34 federal agencies, private investors, property owners, and others in the
35 creation of one or more wetland banks and other measures to protect
36 habitat functions and values while accommodating urban growth in the
37 region. Priority shall be given to state and local government
38 partnerships for wetland characterization. The department shall issue

1 a report of its findings and recommendations on how wetland mitigation
2 success can be improved to the office of financial management and the
3 appropriate policy committees of the legislature.

4 (6) \$260,000 of the state toxics control account--state
5 appropriation is provided solely to support pesticide container
6 recycling activities in Washington.

7 (7) \$250,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$250,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for a pilot project to provide
10 grants to two local government jurisdictions located in the Puget Sound
11 area to improve compliance with existing environmental laws. Grant
12 funds shall be used for providing information on existing requirements,
13 providing technical assistance necessary to comply on a voluntary
14 basis, and taking enforcement action.

15 (8) \$1,257,000 of the reclamation account--state appropriation is
16 provided solely to implement Substitute Senate Bill No. 5881 (water
17 power license fees). If the bill is not enacted by June 30, 2007, the
18 amount provided in this section shall lapse.

19 (9) \$694,000 of the underground storage tank account--state
20 appropriation is provided solely to implement Substitute Senate Bill
21 No. 5475 (underground storage tanks). If the bill is not enacted by
22 June 30, 2007, the amount provided in this section shall lapse.

23 (10) \$2,026,000 of the local toxics control account--state
24 appropriation is provided solely for local governments located near
25 hazardous waste clean-up sites, including Duwamish Waterway,
26 Commencement Bay, and Bellingham Bay, to work with small businesses and
27 citizens to safely manage hazardous and solid wastes to prevent the
28 contamination.

29 (11) \$876,000 of the state toxics control account and \$876,000 of
30 the local toxics control account are provided solely for public
31 participation grants related to toxic cleanup sites within and around
32 Puget Sound.

33 (12) \$831,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$669,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely to implement watershed plans. Of
36 this amount, \$313,650 of the general fund--state appropriation for
37 fiscal year 2008 and \$529,000 of the general fund--state appropriation
38 for fiscal year 2009 are provided solely to support the implementation

1 of the WRIA 1 watershed plan and the Bertrand watershed improvement
2 district plan, including but not limited to implementation of the
3 Nooksack River basin stream gauging program, study of the feasibility
4 of a public utility district pipeline in the Bertrand watershed, study
5 and construction of water storage and augmentation in the Bertrand
6 watershed, and preparation and development of the next subbasin
7 watershed plan agreed to by the Bertrand instream flow policy group.

8 (13) \$75,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$75,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely to implement Second Substitute
11 House Bill No. 2220 (shellfish). The department shall develop, by
12 rule, guidelines for the appropriate siting and operation of geoduck
13 aquaculture operations to be included in any master program under the
14 shorelines management act. If the bill is not enacted by June 30,
15 2007, the amounts provided in this subsection shall lapse.

16 (14) \$15,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$15,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for convening a stakeholder group
19 to recommend establishing a sustainable statewide regional CBRNE/Hazmat
20 response capability.

21 (15) \$100,000 of the general fund--state appropriation for fiscal
22 year 2008 and \$100,000 of the general fund--state appropriation for
23 fiscal year 2009 are provided solely to implement key recommendations
24 and actions identified in the "Washington's Ocean Action Plan:
25 Enhancing Management of Washington State's Ocean and Outer Coast". The
26 department shall provide a progress report on implementing this plan to
27 the appropriate policy committees of the legislature by December 31,
28 2008.

29 (16) \$464,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$136,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely to implement Engrossed Substitute
32 Senate Bill No. 6001 (climate change). If the bill is not enacted by
33 June 30, 2007, the amounts provided in this subsection shall lapse.

34 (17) \$75,000 of the general fund--state appropriation for fiscal
35 year 2008 and \$75,000 of the general fund--state appropriation for
36 fiscal year 2009 are provided solely for the department to oversee
37 beach seaweed removal in the west Seattle Fauntleroy community. The

1 department may spend up to \$25,000 of this amount for its cost of
2 administration.

3 (18) \$693,000 of the state toxics control account is provided
4 solely for implementation of Senate Bill No. 5421 (environmental
5 covenants). If the bill is not enacted by June 30, 2007, the amount
6 provided in this section shall lapse.

7 (19) \$99,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$100,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for a marshland study of key areas
10 of salmon habitat along the Snohomish river estuary.

11 (20) \$196,000 of the general fund--state appropriation for fiscal
12 year 2008, \$132,000 of the general fund--state appropriation for fiscal
13 year 2009, and \$19,000 of the oil spill prevention account
14 appropriation are provided solely to implement Engrossed Substitute
15 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
16 enacted by June 30, 2007, the department shall execute activities as
17 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound
18 partnership).

19 (21) \$150,000 of the general fund--state appropriation for fiscal
20 year 2008 is provided solely for the department to contract with the
21 U.S. institute for environmental conflict resolution, a federal agency,
22 to develop a pilot water management process with three federally
23 recognized treaty Indian tribes. \$50,000 of the general fund--state
24 appropriation for fiscal year 2008 is provided solely for the northwest
25 Indian fisheries commission to help establish the pathway for the
26 process in federal agencies.

27 (22) \$150,000 of the general fund--state appropriation for fiscal
28 year 2009 is provided solely to continue the pilot water pathways
29 project through the remainder of the biennium. The department will
30 work with the northwest Indian fisheries commission and the U.S.
31 institute on environmental conflict resolution to find resolution on
32 persistent water policy issues between tribes and nontribal entities.

33 (23) \$319,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$241,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for the implementation of
36 Engrossed Second Substitute Senate Bill No. 6117 (reclaimed water). If
37 the bill is not enacted by June 30, 2007, the amounts provided in this
38 subsection shall lapse.

1 (24) \$53,000 of the oil spill prevention account--state
2 appropriation is provided solely for the implementation of Senate Bill
3 No. 5552 (penalties for oil spills). If the bill is not enacted by
4 June 30, 2007, the amount provided in this subsection shall lapse.

5 (25) \$50,000 of the general fund--state appropriation for fiscal
6 year 2008 and \$50,000 of the general fund--state appropriation for
7 fiscal year 2009 are provided solely to the department to convene a
8 shellfish aquaculture regulatory committee, composed of a balanced
9 representation from interested state regulatory agencies, Native
10 American tribes, local governments and the environmental and shellfish
11 farming communities. The group will be facilitated by the office of
12 regulatory assistance and will address federal, state, and local
13 regulatory issues related to shellfish farming.

14 (26) Within the appropriations provided in this section for the
15 development of water supplies in the Columbia river basin, the
16 department shall assist county governments located east of the crest of
17 the Cascade mountain range that: Have an international border; or
18 border a county with an international boundary and a county with four
19 hundred thousand or more residents, to identify water supply projects
20 to compete for funding from the Columbia river basin water management
21 program. The department shall provide technical assistance as needed
22 to further refine priority projects identified by these counties. The
23 department shall consider and balance regional water supply needs in
24 its funding allocation decisions made as a part of this program.

25 (27) \$50,000 of the general fund--state appropriation for fiscal
26 year 2009 is provided solely for coordinating with the University of
27 Washington to assess the current energy profile of Washington state
28 pulp and paper mills. The energy consumption and energy generation
29 capability will be determined for both steam and electrical power. In
30 addition, the sources and types of fuels used in various boilers will
31 be assessed.

32 (28) \$195,000 of the general fund--state appropriation for fiscal
33 year 2009 is provided solely to support a collaborative process to
34 design a proposed comprehensive water management structure for the
35 Walla Walla river basin. The proposed structure should address the
36 allocation of functions, authorities, resource requirements, and issues
37 associated with interstate watershed management of the basin. Invited
38 participants should include but not be limited to the confederated

1 tribes of the Umatilla Indian reservation; appropriate state agencies;
2 and Walla Walla basin interests such as municipalities, irrigation
3 districts, conservation districts, fisheries, agriculture, economic
4 development, and environmental representatives. A report outlining the
5 proposed governance and water management structure shall be submitted
6 to the governor and the appropriate committees of the legislature by
7 November 15, 2008.

8 (29) \$333,000 of the state toxics control account--state
9 appropriation is provided solely for implementation of Engrossed Second
10 Substitute House Bill No. 2647 (children's safe products). If the bill
11 is not enacted by June 30, 2008, the amount provided in this subsection
12 shall lapse.

13 (30) \$256,000 of the general fund--state appropriation for fiscal
14 year 2008 and \$1,027,000 of the general fund--state appropriation for
15 fiscal year 2009 are provided solely for Engrossed Second Substitute
16 House Bill No. 2815 (reducing greenhouse gases emissions in the
17 Washington economy). In participating in the western climate
18 initiative under Engrossed Second Substitute House Bill No. 2815, the
19 director of the department shall seek to ensure that the design for a
20 regional multisector market-based system confers equitable economic
21 benefits and opportunities to electric utilities operating in
22 Washington by having that system recognize at least the following: (a)
23 Voluntary investments made by Washington utilities in energy efficiency
24 measures; (b) emission reduction benefits that other state and
25 provincial participants in the western climate initiative derive from
26 consuming renewable energy generated in Washington; and (c) adverse
27 impacts that climate change uniquely has upon the capabilities of
28 hydroelectric power generation. Washington state's representatives to
29 the western climate initiative process shall advocate for a regional
30 multisector market-based design that addresses competitive
31 disadvantages that could be experienced by in-region industries as
32 compared to industries in states or countries that do not have
33 greenhouse gas reduction programs that are substantively equivalent to
34 the system designed under the western climate initiative process. If
35 the bill is not enacted by June 30, 2008, the amounts provided in this
36 subsection shall lapse.

37 (31) Within the appropriations provided in this section the
38 department shall ensure that standard statewide protocols for surface

1 water monitoring are developed and included in status and trends
2 monitoring to utilize information from other entities, including other
3 state agencies, local governments, and volunteer groups.

4 (32)(a) \$2,000,000 of the Columbia river water delivery account
5 appropriation is provided solely for distribution to affected counties
6 as defined in Engrossed Second Substitute Senate Bill No. 6874
7 (Columbia river water) to mitigate for negative impacts caused by
8 releases of Lake Roosevelt water for the purposes described in that
9 bill. The criteria for allocating these funds shall be developed by
10 the department in consultation with affected local governments.

11 (b) \$150,000 of the Columbia river water delivery account
12 appropriation is provided solely for the department to retain a
13 contractor to perform an independent analysis of legislative options to
14 protect rural communities in northeast Washington from disproportionate
15 economic, agricultural, and environmental impacts when upstream water
16 rights are purchased and transferred for use, or idled and used as
17 mitigation, in a downstream watershed or county. Before retaining a
18 contractor, the department shall consult with affected counties as
19 defined in Engrossed Second Substitute Senate Bill No. 6874 (Columbia
20 river water). The contractor selected shall conduct the independent
21 analysis and develop a report describing options and recommended
22 actions. The department of ecology shall provide the report to the
23 appropriate committees of the legislature by December 1, 2008.

24 (c) If Engrossed Second Substitute Senate Bill No. 6874 (Columbia
25 river water delivery) is not enacted by June 30, 2008, the amounts
26 provided in this subsection shall lapse.

27 (33) \$210,000 of the local toxics control account--state
28 appropriation is provided solely to clean up naturally occurring
29 asbestos from Swift Creek.

30 (34) \$80,000 of the state toxics control account--state
31 appropriation is provided solely for the department to create a
32 stakeholder advisory committee to review and develop recommendations to
33 help businesses achieve a fifty percent toxics reduction use goal. The
34 committee shall: (a) Review and make recommendations to improve the
35 effectiveness and delivery of technical assistance in pollution
36 prevention planning; (b) develop recommendations for strategies to
37 encourage moving away from "end-of-pipe" pollution reduction approaches
38 to increase hazardous waste prevention throughout the state; and (c)

1 review and make recommendations on revising the hazardous waste
2 planning fee under RCW 70.95E.030, including opportunities to provide
3 incentives that reward businesses for toxic use reduction successes in
4 meeting a fifty percent toxics use reduction goal. The committee shall
5 report its findings and recommendations to the fiscal and policy
6 committees of the senate and house of representatives by November 1,
7 2008.

8 (35) \$70,000 of the general fund--state appropriation for fiscal
9 year 2009 is provided solely for Substitute Senate Bill No. 6805
10 (relating to promoting farm and forest land preservation and
11 environmental restoration through conservation markets). If the bill
12 is not enacted by June 30, 2008, the amount provided in this subsection
13 shall lapse.

14 (36) RCW 70.105.280 authorizes the department to assess reasonable
15 service charges against those facilities that store, treat, incinerate,
16 or dispose of dangerous or extremely hazardous waste that involves both
17 a nonradioactive hazardous component and a radioactive component.
18 Service charges may not exceed the costs to the department in carrying
19 out the duties in RCW 70.105.280. The current service charges do not
20 meet the costs of the department to carry out its duties. Pursuant to
21 RCW 43.135.055 and 70.105.280, the department is authorized to increase
22 the service charges no greater than 10% for fiscal year 2009.

23 **Sec. 1203.** 2009 c 4 s 303 (uncodified) is amended to read as
24 follows:

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

26	General Fund--State Appropriation (FY 2008)	\$48,970,000
27	General Fund--State Appropriation (FY 2009)	(\$45,503,000)
28		<u>\$45,508,000</u>
29	General Fund--Federal Appropriation	\$5,731,000
30	General Fund--Private/Local Appropriation	\$73,000
31	Winter Recreation Program Account--State	
32	Appropriation	\$1,559,000
33	Off-Road Vehicle Account--State Appropriation	\$234,000
34	Snowmobile Account--State Appropriation	\$4,829,000
35	Aquatic Lands Enhancement Account--State	
36	Appropriation	\$363,000
37	Public Safety and Education Account--State	

1	Appropriation (FY 2008)	\$23,000
2	Public Safety and Education Account--State	
3	Appropriation (FY 2009)	\$24,000
4	Parks Renewal and Stewardship Account--State	
5	Appropriation	(\$37,334,000)
6		<u>\$38,584,000</u>
7	Parks Renewal and Stewardship Account--Private/Local	
8	Appropriation	\$300,000
9	TOTAL APPROPRIATION	(\$144,943,000)
10		<u>\$146,198,000</u>

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

13 (1) Fees approved by the state parks and recreation commission in
14 the 2007-09 biennium are authorized to exceed the fiscal growth factor
15 under RCW 43.135.055.

16 (2) \$79,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$79,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for a grant for the operation of
19 the Northwest avalanche center.

20 (3) \$300,000 of the general fund--state appropriation for fiscal
21 year 2008 is provided solely for project scoping and cost estimating
22 for the agency's 2009-11 capital budget submittal.

23 (4) \$2,255,000 of the general fund--state appropriation for fiscal
24 year 2009 is provided solely for costs associated with relocating the
25 commission's Tumwater headquarters office.

26 (5) \$272,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$271,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for costs associated with
29 relocating the commission's eastern Washington regional headquarters
30 office.

31 (6) \$1,000,000 of the general fund--state appropriation for fiscal
32 year 2008 is provided solely for replacing vehicles and equipment.

33 (7) \$1,611,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$1,428,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for planned and emergency
36 maintenance of park facilities.

37 (8) \$1,700,000 of the general fund--federal appropriation for

1 fiscal year 2009 is provided solely for the recreational boating safety
2 program.

3 (9) \$954,000 of the general fund--state appropriation for fiscal
4 year 2008 and (~~(\$1,007,000)~~) \$932,000 of the general fund--state
5 appropriation for fiscal year 2009 are provided solely for the
6 operations of Cama Beach state park.

7 (10) \$25,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$25,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for implementation of Substitute
10 Senate Bill No. 5219 (weather and avalanche center). If the bill is
11 not enacted by June 30, 2007, the amounts provided in this subsection
12 shall lapse.

13 (11) \$9,000 of the general fund--state appropriation for fiscal
14 year 2008 and \$9,000 of the general fund--state appropriation for
15 fiscal year 2009 are provided solely for implementation of Substitute
16 Senate Bill No. 5463 (forest fire protection). If the bill is not
17 enacted by June 30, 2007, the amounts provided in this subsection shall
18 lapse.

19 (12) \$9,000 of the general fund--state appropriation for fiscal
20 year 2008 and \$9,000 of the general fund--state appropriation for
21 fiscal year 2009 are provided solely for implementation of Substitute
22 Senate Bill No. 5236 (public lands management). If the bill is not
23 enacted by June 30, 2007, the amounts provided in this subsection shall
24 lapse.

25 (13) \$264,000 of the general fund--state appropriation for fiscal
26 year 2008 and (~~(\$217,000)~~) \$132,000 of the general fund--state
27 appropriation for fiscal year 2009 are provided solely to establish a
28 pilot lifeguard program at Lake Sammamish and Nolte state parks. The
29 department shall complete a comprehensive risk analysis to determine if
30 expansion of the lifeguard program or other drowning risk reduction
31 measures should be implemented. The department shall report its
32 findings to the office of financial management and the appropriate
33 committees of the legislature by July 1, 2009. The department shall
34 fully implement this program as intended in this subsection.

35 (14) \$455,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$10,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the development of a long-
38 range plan for Fort Worden state park, including architectural and site

1 design guidelines, business and operations implementation, site and
2 facilities use plan, and for the department to convene a task force to
3 recommend alternative governance structures for the park.

4 (15) \$1,600,000 of the parks renewal stewardship account--state
5 appropriation is provided solely for operating state parks, developing
6 and renovating park facilities, undertaking deferred maintenance,
7 enhancing park stewardship and other state park purposes, pursuant to
8 Substitute House Bill No. 2275 (raising funds for state parks).
9 Expenditures from the amount provided in this subsection shall not
10 exceed actual revenues received under Substitute House Bill No. 2275.
11 If the bill is not enacted by June 30, 2007, the amounts provided in
12 this subsection shall lapse.

13 ~~(16) ((\$40,000 of the general fund--state appropriation for fiscal~~
14 ~~year 2009 is provided solely for implementation of Second Substitute~~
15 ~~House Bill No. 2514 (orca whale protection). If the bill is not~~
16 ~~enacted by June 30, 2008, the amount provided in this subsection shall~~
17 ~~lapse.~~

18 ~~(17))~~ \$58,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$73,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for one-time financial assistance
21 to the northwest weather and avalanche center, administered by the
22 United States forest service, to keep the center operational through
23 the remainder of the biennium.

24 ~~((18))~~ (17) Funds in this section are sufficient for continued
25 implementation of Engrossed Substitute Senate Bill No. 5010 (foster
26 home pass). If the bill is not enacted by June 30, 2008, the amount
27 provided in this subsection shall lapse.

28 **Sec. 1204.** 2009 c 4 s 307 (uncodified) is amended to read as
29 follows:

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

31	General Fund--State Appropriation (FY 2008)	\$56,158,000
32	General Fund--State Appropriation (FY 2009)	(\$49,062,000)
33		<u>\$49,094,000</u>
34	General Fund--Federal Appropriation	\$52,270,000
35	General Fund--Private/Local Appropriation	\$37,184,000
36	Off-Road Vehicle Account--State Appropriation\$413,000
37	Aquatic Lands Enhancement Account--State	

1	Appropriation	\$6,022,000
2	Public Safety and Education Account--State	
3	Appropriation (FY 2008)	\$268,000
4	Public Safety and Education Account--State	
5	Appropriation (FY 2009)	\$323,000
6	Recreational Fisheries Enhancement--State	
7	Appropriation	\$3,600,000
8	Warm Water Game Fish Account--State Appropriation	\$2,992,000
9	Eastern Washington Pheasant Enhancement	
10	Account--State Appropriation	\$753,000
11	Aquatic Invasive Species Enforcement Account--State	
12	Appropriation	\$204,000
13	Aquatic Invasive Species Prevention Account--State	
14	Appropriation	\$842,000
15	Wildlife Account--State Appropriation	\$63,549,000
16	Wildlife Account--Federal Appropriation	\$34,279,000
17	Wildlife Account--Private/Local Appropriation	\$13,187,000
18	Game Special Wildlife Account--State Appropriation	\$2,478,000
19	Game Special Wildlife Account--Federal Appropriation	\$8,911,000
20	Game Special Wildlife Account--Private/Local	
21	Appropriation	\$483,000
22	Water Quality Account--State Appropriation (FY 2008)	\$160,000
23	Water Quality Account--State Appropriation (FY 2009)	\$160,000
24	Regional Fisheries Salmonid Recovery Account--Federal	
25	Appropriation	\$5,001,000
26	Oil Spill Prevention Account--State Appropriation	\$1,093,000
27	Oyster Reserve Land Account--State Appropriation	\$416,000
28	Wildlife Rehabilitation Account--State Appropriation	(\$270,000)
29		<u>\$240,000</u>
30	TOTAL APPROPRIATION	(\$340,078,000)
31		<u>\$340,080,000</u>

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

34 (1) The department shall use the department of printing for
35 printing needs. Funds provided in this section may not be used to
36 staff or fund a stand-alone printing operation.

37 (2) \$175,000 of the general fund--state appropriation for fiscal

1 year 2008 and \$175,000 of the general fund--state appropriation for
2 fiscal year 2009 are provided solely for the implementation of hatchery
3 reform recommendations defined by the hatchery scientific review group.

4 (3) The department shall support the activities of the aquatic
5 nuisance species coordination committee to foster state, federal,
6 tribal, and private cooperation on aquatic nuisance species issues.
7 The committee shall strive to prevent the introduction of nonnative
8 aquatic species and to minimize the spread of species that are
9 introduced.

10 (4) The department shall emphasize enforcement of laws related to
11 protection of fish habitat and the illegal harvest of salmon and
12 steelhead. Within the amount provided for the agency, the department
13 shall provide support to the department of health to enforce state
14 shellfish harvest laws.

15 (5) \$400,000 of the general fund--state appropriation for fiscal
16 year 2008 and \$400,000 of the general fund--state appropriation for
17 fiscal year 2009 are provided solely for a state match to support the
18 Puget Sound nearshore partnership between the department and the U.S.
19 army corps of engineers.

20 (6) The department shall assist the office of regulatory assistance
21 in implementing activities consistent with the governor's regulatory
22 improvement program. The department shall support and provide
23 expertise to facilitate, coordinate, and simplify citizen and business
24 interactions so as to improve state regulatory processes involving
25 state, local, and federal stakeholders.

26 (7) \$634,000 of the general fund--state appropriation for fiscal
27 year 2008 is provided solely for operations and fish production costs
28 at department-operated Mitchell act hatchery facilities.

29 (8) \$609,000 of the general fund--state appropriation for fiscal
30 year 2009 is provided solely for the department to implement a pilot
31 project with the Confederated Tribes of the Colville Reservation to
32 develop expanded recreational fishing opportunities on Lake Rufus Woods
33 and its northern shoreline and to conduct joint enforcement of lake
34 fisheries on Lake Rufus Woods and adjoining waters, pursuant to state
35 and tribal intergovernmental agreements developed under the Columbia
36 River water supply program.

37 (a) For the purposes of the pilot project:

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

4 (ii) The Colville Tribes have agreed to provide to holders of its
5 nontribal member fishing permits a means to demonstrate that fish in
6 their possession were lawfully taken in Lake Rufus Woods;

7 (iii) A Colville tribal member identification card shall satisfy
8 the license requirement of RCW 77.32.010 on all waters of Lake Rufus
9 Woods;

10 (iv) The department and the Colville Tribes shall jointly designate
11 fishing areas on the north shore of Lake Rufus Woods for the purposes
12 of enhancing access to the recreational fisheries on the lake; and

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

18 (b) The director, in collaboration with the Colville Tribes, shall
19 provide an interim report to the office of financial management and the
20 appropriate committees of the legislature by December 31, 2008. The
21 report shall describe the status of the pilot project, and make
22 recommendations as needed to fully implement the project, pursuant to
23 the state and tribal agreement on Lake Rufus Woods.

24 (9) \$182,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$182,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely to continue the ballast water
27 management program in Puget Sound and expand the program to include the
28 Columbia river and coastal ports.

29 (10) \$250,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$250,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for hatchery facility maintenance
32 improvements.

33 (11) \$440,000 of the general fund--state appropriation for fiscal
34 year 2008 and \$409,000 of the general fund--state appropriation for
35 fiscal year 2009 are provided solely for estimates of juvenile
36 abundance of federally listed salmon and steelhead populations. The
37 department shall report to the office of financial management and the

1 appropriate fiscal committees of the legislature with a letter stating
2 the use and measurable results of activities that are supported by
3 these funds.

4 (12) \$125,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$125,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for the strategic budget and
7 accountability program.

8 (13) \$113,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$113,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely to implement Engrossed Substitute
11 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
12 enacted by June 30, 2007, the department shall execute activities as
13 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound
14 partnership).

15 (14) Prior to submitting its 2009-11 biennial operating and capital
16 budget request related to state fish hatcheries to the office of
17 financial management, the department shall contract with the hatchery
18 scientific review group (HSRG) to review this request. This review
19 shall: (a) Determine if the proposed requests are consistent with HSRG
20 recommendations; (b) prioritize the components of the requests based on
21 their contributions to protecting wild salmonid stocks and meeting the
22 recommendations of the HSRG; and (c) evaluate whether the proposed
23 requests are being made in the most cost effective manner. The
24 department shall provide a copy of the HSRG review to the office of
25 financial management and the appropriate legislative committees by
26 October 1, 2008.

27 (15) \$43,000 of the general fund--state appropriation for fiscal
28 year 2008 is provided solely for the implementation of Substitute
29 Senate Bill No. 5447 (coastal Dungeness crab). If the bill is not
30 enacted by June 30, 2007, the amount provided in this subsection shall
31 lapse.

32 (16) \$4,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$4,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely for the implementation of
35 Substitute Senate Bill No. 5463 (forest fire protection). If the bill
36 is not enacted by June 30, 2007, the amounts provided in this
37 subsection shall lapse.

1 (17) \$89,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$89,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the implementation of
4 Substitute Senate Bill No. 6141 (forest health). If the bill is not
5 enacted by June 30, 2007, the amounts provided in this subsection shall
6 lapse.

7 (18) \$204,000 of the aquatic invasive species enforcement account--
8 state appropriation is provided solely for the implementation of
9 Substitute Senate Bill No. 5923 (aquatic invasive species). If the
10 bill is not enacted by June 30, 2007, the amount provided in this
11 subsection shall lapse.

12 (19) \$352,000 of the wildlife rehabilitation account is provided
13 solely for the implementation of Senate Bill No. 5188 (wildlife
14 rehabilitation). If the bill is not enacted by June 30, 2007, the
15 amounts provided in this subsection shall lapse.

16 (20) \$77,000 of the general fund--state appropriation for fiscal
17 year 2008 and \$75,000 of the general fund--state appropriation for
18 fiscal year 2009 are provided solely for the department of fish and
19 wildlife to participate in the upper Columbia salmon recovery plan
20 implementation, habitat conservation plan hatchery committees, and the
21 priest rapids salmon and steelhead agreement hatchery technical
22 committee.

23 (21)(a) Within existing funds, the department of fish and wildlife
24 shall sell the upper 20-acre parcel of the Beebe springs property.

25 (b) Proceeds from the sale are to be used to develop the Beebe
26 springs natural interpretive site. Up to \$300,000 of the general
27 fund--state appropriation for fiscal year 2009 is provided solely for
28 the development of the Beebe springs natural interpretive site. The
29 department shall not expend more than the amount received from the sale
30 proceeds.

31 (22) \$50,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$49,000 of the general fund--state appropriation for
33 fiscal year 2009 are provided solely to implement Substitute House Bill
34 No. 2049 (marine resource committees). If the bill is not enacted by
35 June 30, 2007, the amounts provided in this subsection shall lapse.

36 (23) \$35,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$35,000 of the general fund--state appropriation for
38 fiscal year 2009 are provided solely for a study of introducing oxygen

1 to the waters of Hood Canal. The study shall propose a location in a
2 small marine area where a large number of bottom-dwelling fish species
3 exist, and analyze the impact of injected dissolved oxygen on aquatic
4 life. The department shall report to the appropriate committees of the
5 legislature on the results of the study and recommend whether to
6 proceed with a project to inject oxygen into Hood Canal.

7 (24) \$1,310,000 of the general fund--state appropriation for fiscal
8 year 2008 is provided solely to replace state wildlife account funds
9 for the engineering program and \$610,000 of the general fund--state
10 appropriation for fiscal year 2008 are provided solely to replace state
11 wildlife account funds for the hydraulic project permitting program,
12 including the development of a permit fee schedule for the hydraulic
13 project approval program to make the program self supporting. Fees may
14 be based on factors relating to the complexity of the permit issuance.
15 The fees received by the department must be deposited into the state
16 wildlife account and shall be expended exclusively for the purposes of
17 the hydraulic project permitting program. By December 1, 2008, the
18 department shall provide a permit fee schedule for the hydraulic
19 project approval program to the office of financial management and the
20 appropriate committees of the legislature.

21 (25) \$245,000 of the general fund--state appropriation for fiscal
22 year 2008 is provided solely to the department to work in cooperation
23 with the department of natural resources to assist with the
24 implementation of the wild horse coordinated resource management plan.
25 Implementation may include providing grant funding to other state and
26 nonstate entities as needed.

27 (26) \$270,000 of the general fund--state appropriation for fiscal
28 year 2008 and \$270,000 of the general fund--state appropriation for
29 fiscal year 2009 are provided solely for the department to develop
30 siting guidelines for power generation facilities, provide technical
31 assistance for permitting, support voluntary compliance with the
32 guidelines, and to conduct bird and wildlife assessments on state lands
33 most eligible for wind power leases.

34 (27) \$50,000 of the general fund--state appropriation for fiscal
35 year 2008 is provided solely to implement Second Substitute House Bill
36 No. 2220 (shellfish). The department shall develop and maintain an
37 electronic database for aquatic farmer registration. If the bill is

1 not enacted by June 30, 2007, the amount provided in this subsection
2 shall lapse.

3 (28) During the 2007-09 biennium, the department shall not make a
4 permanent closure of any hatchery facility currently in operation.

5 (29) Within existing funds, the department shall continue
6 implementing its capital program action plan dated September 1, 2007,
7 including the purchase of the necessary maintenance and support costs
8 for the capital programs and engineering tools. The department shall
9 report to the office of financial management and the appropriate
10 committees of the legislature, its progress in implementing the plan,
11 including improvements instituted in its capital program, by September
12 30, 2008.

13 (30) \$46,000 of the general fund--state appropriation for fiscal
14 year 2009 is provided solely for implementation of Second Substitute
15 House Bill No. 2514 (orca whale protection). If the bill is not
16 enacted by June 30, 2008, the amount provided in this subsection shall
17 lapse.

18 (31) The department shall complete an inventory of department
19 purchased or leased lands acquired for mixed agriculture and fish and
20 wildlife habitat and provide for each purchase or lease agreement the
21 cost and date of the agreement, the previous use of the land, any
22 agreement or deed specifying continuing use of the land, and the
23 current management cost and status of each parcel of purchased or
24 leased lands. The department shall provide the inventory to the
25 appropriate committees of the legislature by December 1, 2008.

26 (32) \$289,000 of the general fund--state appropriation for fiscal
27 year 2008 and \$301,000 of the general fund--state appropriation for
28 fiscal year 2009 are provided solely for selective fisheries.

29 (33) \$100,000 of the general fund--state appropriation for fiscal
30 year 2009 is provided solely for removal of derelict gear in Washington
31 waters.

32 (34) \$135,000 of the general fund--state appropriation for fiscal
33 year 2009 is provided solely for a review of the effectiveness of the
34 department's existing hydraulic project approval process and
35 environmental outcomes.

36 (35) \$75,000 of the general fund--state appropriation for fiscal
37 year 2009 is provided solely to implement the 2008 Wiley Slough
38 restoration project report to the legislature recommendation to

1 establish a private farmland, public recreation partnership that would
2 provide farmland preservation, waterfowl management, and public
3 recreational access.

4 (36) \$95,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely for Ebey Island property management costs.

6 (37)(a) A work group on Electron dam salmon passage is established,
7 with members as provided in this subsection.

8 (i) The president of the senate shall appoint one member from each
9 of the two largest caucuses of the senate.

10 (ii) The speaker of the house of representatives shall appoint one
11 member from each of the two largest caucuses of the house of
12 representatives.

13 (iii) The department of fish and wildlife shall appoint at least
14 one representative from each of the following entities: The department
15 of fish and wildlife, Puyallup Tribe of Indians, and Puget Sound
16 energy.

17 (b) The department of fish and wildlife shall provide staff support
18 to the work group.

19 (c) The work group shall study possible enhancements for improving
20 outbound juvenile salmon passage at Electron dam on the Puyallup river.

21 (d) Legislative members of the work group shall be reimbursed for
22 travel expenses in accordance with RCW 44.04.120. Nonlegislative
23 members, except those representing an employer or organization, are
24 entitled to be reimbursed for travel expenses in accordance with RCW
25 43.03.050 and 43.03.060.

26 (e) The expenses of the work group, other than travel expenses of
27 legislative members, shall be paid within existing funds from the
28 department of fish and wildlife.

29 (f) The work group shall present its findings and recommendations
30 to the appropriate committees of the legislature by January 1, 2009.

31 (g) This subsection expires January 1, 2009.

32 (38) As part of its 2009-11 biennial budget request, the department
33 shall submit a report detailing the methodology for determining the
34 value of payment in lieu of taxes as provided in RCW 79.70.130. At a
35 minimum, the report will show the number of acres subject to the
36 payment in lieu of taxes, the tax rates assumed by each affected
37 county, and the resulting value of the state general fund obligation.

1 (39) Within the appropriations in this section, specific funding is
2 provided to implement Engrossed Senate Bill No. 6821 (fish and wildlife
3 information).

4 (40) \$250,000 of the general fund--state appropriation for fiscal
5 year 2009 is provided solely for Second Substitute Senate Bill No. 6227
6 (outer coast marine resources committees). If the bill is not enacted
7 by June 30, 2008, the amount provided in this subsection shall lapse.

8 (41) \$115,000 of the general fund--state appropriation for fiscal
9 year 2009 is provided solely for Substitute Senate Bill No. 6231
10 (marine protected areas). If the bill is not enacted by June 30, 2008,
11 the amount provided in this subsection shall lapse.

12 **Sec. 1205.** 2009 c 4 s 308 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

15	General Fund--State Appropriation (FY 2008)	\$50,328,000
16	General Fund--State Appropriation (FY 2009)	(\$48,695,000)
17		<u>\$65,720,000</u>
18	General Fund--Federal Appropriation	\$27,855,000
19	General Fund--Private/Local Appropriation	\$1,408,000
20	Forest Development Account--State Appropriation	(\$57,603,000)
21		<u>\$57,647,000</u>
22	Off-Road Vehicle Account--State Appropriation	\$4,196,000
23	Surveys and Maps Account--State Appropriation	\$2,523,000
24	Aquatic Lands Enhancement Account--State	
25	Appropriation	\$7,897,000
26	Resources Management Cost Account--State	
27	Appropriation	(\$94,633,000)
28		<u>\$95,426,000</u>
29	Surface Mining Reclamation Account--State	
30	Appropriation	\$3,279,000
31	Disaster Response Account--State Appropriation	\$5,000,000
32	Forest and Fish Support Account--State Appropriation	\$7,000,000
33	Water Quality Account--State Appropriation (FY 2008)	\$1,348,000
34	Water Quality Account--State Appropriation (FY 2009)	\$1,348,000
35	Aquatic Land Dredged Material Disposal Site	
36	Account--State Appropriation	\$1,335,000
37	Natural Resources Conservation Areas Stewardship	

1	Account--State Appropriation	\$34,000
2	State Toxics Control Account--State Appropriation	\$80,000
3	Air Pollution Control Account--State Appropriation	\$567,000
4	Nonhighway and Off-Road Vehicle Activities Program	
5	Account--State Appropriation	\$982,000
6	Derelict Vessel Removal Account--State Appropriation	\$3,650,000
7	Agricultural College Trust Management Account--State	
8	Appropriation	\$2,046,000
9	TOTAL APPROPRIATION	(\$321,807,000)
10		<u>\$339,669,000</u>

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

13 (1) \$1,021,000 of the general fund--state appropriation for fiscal
14 year 2008 and \$1,043,000 of the general fund--state appropriation for
15 fiscal year 2009 are provided solely for deposit into the agricultural
16 college trust management account and are provided solely to manage
17 approximately 70,700 acres of Washington State University's
18 agricultural college trust lands.

19 (2) \$13,920,000 of the general fund--state appropriation for fiscal
20 year 2008, ~~(\$13,542,000)~~ \$30,292,000 of the general fund--state
21 appropriation for fiscal year 2009, and \$5,000,000 of the disaster
22 response account--state appropriation are provided solely for emergency
23 fire suppression. None of the general fund and disaster response
24 account amounts provided in this subsection may be used to fund agency
25 indirect and administrative expenses. Agency indirect and
26 administrative costs shall be allocated among the agency's remaining
27 accounts and appropriations.

28 (3) Fees approved by the department of natural resources and the
29 board of natural resources in the 2007-09 biennium are authorized to
30 exceed the fiscal growth factor under RCW 43.135.055.

31 (4) \$198,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$199,000 of the general fund--state appropriation for
33 fiscal year 2009 are provided solely for the department to work with
34 appropriate stakeholders and state agencies in determining how
35 privately owned lands, in combination with other land ownership such as
36 public and tribal lands, contribute to wildlife habitat. The
37 assessment will also determine how commercial forests, forest lands on
38 the urban fringe, and small privately-owned forest lands that are

1 managed according to Washington's forest and fish prescriptions, in
2 combination with other forest management activities, function as
3 wildlife habitat now and in the future.

4 (5) \$5,000,000 of the forest and fish support account--state
5 appropriation is provided solely for adaptive management, monitoring,
6 and participation grants to tribes. If federal funding for this
7 purpose is reinstated, the amount provided in this subsection shall
8 lapse. The department shall compile the outcomes of these grants
9 annually and submit them to the office of financial management by
10 September 1 of 2008 and 2009.

11 (6) \$400,000 of the forest and fish support account--state
12 appropriation is provided solely for adaptive management, monitoring,
13 and participation grants to the departments of ecology and fish and
14 wildlife. If federal funding for this purpose is reinstated, this
15 subsection shall lapse.

16 (7) The department shall prepare a feasibility study that analyzes
17 applicable business processes and develops the scope, requirements, and
18 alternatives for replacement of the department's current suite of
19 payroll-support systems. The department shall use an independent
20 consultant to assist with the study, and shall submit the completed
21 analysis to the office of financial management, the department of
22 personnel, and the department of information services by August 1,
23 2008.

24 (8) \$600,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$600,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely to continue interagency agreements
27 with the department of fish and wildlife and the department of ecology
28 for forest and fish report field implementation tasks.

29 (9) All department staff serving as recreation-management trail
30 stewards shall be noncommissioned.

31 (10) \$112,000 of the aquatic lands enhancement account--state
32 appropriation is provided solely for spartina eradication efforts. The
33 department may enter into agreements with federal agencies to eradicate
34 spartina from private lands that may provide a source of reinfestation
35 to public lands.

36 (11) \$40,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$40,000 of the general fund--state appropriation for
38 fiscal year 2009 are provided solely for the department to convene and

1 staff a work group to study issues related to wildfire prevention and
2 protection. The work group shall be composed of members representing
3 rural counties in eastern and western Washington, fire districts,
4 environmental protection organizations, industrial forest landowners,
5 the agricultural community, the beef industry, small forest landowners,
6 the building industry, realtors, the governor or a designee, the
7 insurance commissioner or a designee, the office of financial
8 management, the state fire marshal or a designee, the state building
9 code council, and the commissioner or public lands or a designee. The
10 work group shall issue a report of findings and recommendations to the
11 appropriate committees of the legislature by August 1, 2008.

12 (12) \$249,000 of the aquatic lands enhancement account--state
13 appropriation is provided solely to implement Engrossed Substitute
14 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
15 enacted by June 30, 2007, the department shall execute activities as
16 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound
17 partnership).

18 (13) \$2,000,000 of the derelict vessel removal account--state
19 appropriation is provided solely for the implementation of Engrossed
20 Second Substitute Senate Bill No. 6044 (derelict vessels). If the bill
21 is not enacted by June 30, 2007, the amount provided in this subsection
22 shall lapse.

23 (14) \$34,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$34,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely for the implementation of
26 Substitute Senate Bill No. 5236 (public lands management). If the bill
27 is not enacted by June 30, 2007, the amounts provided in this
28 subsection shall lapse.

29 (15) \$14,000 of the forest development account--state appropriation
30 and \$52,000 of the resources management cost account--state
31 appropriation are provided solely for implementation of Substitute
32 Senate Bill No. 5463 (forest fire protection). If the bill is not
33 enacted by June 30, 2007, the amounts provided in this subsection shall
34 lapse.

35 (16) \$100,000 of the general fund--state appropriation for fiscal
36 year 2008 and \$900,000 of the general fund--state appropriation for
37 fiscal year 2009 are provided solely for the removal of one or two

1 large floating dry docks off Lake Washington near the Port Quendall
2 site in north Renton.

3 (17) \$547,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$726,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for the implementation of
6 Substitute Senate Bill No. 6141 (forest health). If the bill is not
7 enacted by June 30, 2007, the amounts provided in this subsection shall
8 lapse.

9 (18) \$22,000 of the surface mining reclamation account--state
10 appropriation and \$22,000 of the resources management cost account--
11 state appropriation are provided solely for the implementation of
12 Substitute Senate Bill No. 5972 (surface mining reclamation). If the
13 bill is not enacted by June 30, 2007, the amounts in this subsection
14 shall lapse.

15 (19) \$125,000 of the general fund--state appropriation for fiscal
16 year 2008, \$125,000 of the general fund--state appropriation for fiscal
17 year 2009, and \$250,000 of the resource management cost account--state
18 appropriation are provided solely to extend the 2005-2007 contract with
19 the University of Washington college of forestry resources for
20 additional research and technical assistance on the future of
21 Washington forests. Reports shall be submitted by June 30, 2009, to
22 the appropriate committees of the legislature on the following topics:

23 (a) An exploration of the potential markets for renewable energy
24 from biomass from Washington forests, especially from material removed
25 from eastern Washington forests as part of forest health improvement
26 efforts. This exploration shall assess the feasibility of converting
27 large amounts of underutilized forest biomass into useful products and
28 green energy by providing required analyses needed to efficiently
29 collect and deliver forest biomass to green energy end users. The role
30 of transportation and processing infrastructure in developing markets
31 for such material for both clean energy and value-added products shall
32 be included in the exploration. The college shall coordinate with
33 Washington State University efforts to identify what new biological,
34 chemical, and engineering technologies are emerging for converting
35 forest biomass to clean and efficient energy.

36 (b) Recommendations for the college's northwest environmental forum
37 for retaining the highest valued working forest lands at risk of
38 conversion to nonforest uses. These recommendations should include an

1 examination of means to enhance biodiversity through strategic
2 retention of certain lands, as well as economic incentives for
3 landowners to retain lands as working forests and provide ecosystem
4 services. The recommendations shall consider the health and value of
5 the forest lands, the rate of loss of working forest lands in the area,
6 the risk to timber processing infrastructure from continued loss of
7 working forest lands, and the multiple benefits derived from retaining
8 working forest lands. The recommendations shall prioritize forest
9 lands in the Cascade foothills, which include the area generally
10 encompassing the nonurbanized lands within the Cascade mountain range
11 and drainages lying between three hundred and three thousand feet above
12 mean sea level, and located within Whatcom, Skagit, Snohomish, King,
13 Pierce, Thurston, and Lewis counties.

14 (20) \$25,000 of the general fund--state appropriation for fiscal
15 year 2008 and \$25,000 of the general fund--state appropriation for
16 fiscal year 2009 are provided solely for Chelan county, as the chair of
17 the Stemilt partnership, to perform the following:

18 (a) Work with private and public land management entities to
19 identify and evaluate land ownership possibilities;

20 (b) Allocate up to \$10,000 to the department of fish and wildlife
21 to perform technical studies, baseline assessments, environmental
22 review, due diligence, and similar real estate evaluations; and

23 (c) Implement real estate transactions based on the results of the
24 studies.

25 (21) \$15,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$15,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely for health benefits to Washington
28 conservation corps employees.

29 (22) \$300,000 of the general fund--state appropriation for fiscal
30 year 2008 and \$300,000 of the general fund--state appropriation for
31 fiscal year 2009 are provided solely for staff support for the natural
32 heritage program to integrate, analyze, and provide bird area
33 information, and for state designations and mapping support, among
34 other activities.

35 (23) \$48,000 of the resource management cost account--state
36 appropriation is provided solely to implement Second Substitute House
37 Bill No. 2220 (shellfish). The department shall participate in a

1 shellfish aquaculture regulatory committee, convened by the department
2 of ecology. If the bill is not enacted by June 30, 2007, the amount
3 provided in this subsection shall lapse.

4 (24) \$150,000 of the general fund--private/local appropriation is
5 provided solely for the implementation of Substitute Senate Bill No.
6 5445 (cost-reimbursement agreements). If the bill is not enacted by
7 June 30, 2007, the amount provided in this subsection shall lapse.

8 (25) \$191,000 of the aquatic lands enhancement account--state
9 appropriation is provided solely for the department to coordinate with
10 the Puget Sound partnership to complete a final habitat conservation
11 plan for state-owned aquatic lands and an environmental impact
12 statement by June 2009.

13 (26) \$251,000 of the general fund--state appropriation for fiscal
14 year 2009 is provided solely for implementation of Engrossed Second
15 Substitute House Bill No. 2844 (urban forestry). If the bill is not
16 enacted by June 30, 2008, the amount provided in this subsection shall
17 lapse.

18 (27) \$80,000 of the general fund--state appropriation for fiscal
19 year 2009 is provided solely to complete maps of lower Hood Canal,
20 including subsurface geologic layers, lithology, digital layers, and
21 maps to identify liquifiable sediments for hazard mitigation. The
22 department shall provide a report to the appropriate committees of the
23 legislature on maps that were produced by December 1, 2008.

24 (28) As part of its 2009-11 biennial budget request, the department
25 shall submit a report detailing the methodology for determining the
26 value of payment in lieu of taxes as provided in RCW 79.70.130. At a
27 minimum, the report will show the number of acres subject to the
28 payment in lieu of taxes, the tax rates assumed by each affected
29 county, and the resulting value of the state general fund obligation.

30 (29) \$200,000 of the general fund--state appropriation for fiscal
31 year 2009 is provided solely to supplement other available funds for an
32 analysis of whether forest practices rules (including rules for harvest
33 on potentially unstable slopes, road construction and maintenance, and
34 post-harvest slash treatment) effectively protect public resources and
35 public safety from landslides, and other storm-related impacts. The
36 analysis is to be accomplished using the forest practices board
37 adaptive management process. The cooperative monitoring, evaluation,
38 and research (CMER) committee of the adaptive management program shall

1 submit a report of its preliminary analysis and conclusions to the
2 appropriate committees of the legislature by December 1, 2008. The
3 forest practices board shall submit a complete report of the CMER study
4 on the effectiveness of current prescriptions and practices by June 30,
5 2009. This amount is ongoing solely to make improvements to the
6 state's geological survey.

7 (30) \$26,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$71,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely to implement Substitute House Bill
10 No. 2472 (recreational opportunities).

11 **Sec. 1206.** 2009 c 4 s 311 (uncodified) is amended to read as
12 follows:

13 **FOR THE PUGET SOUND PARTNERSHIP**

14	General Fund--State Appropriation (FY 2008)	\$370,000
15	General Fund--State Appropriation (FY 2009)	\$560,000
16	General Fund--Federal Appropriation	\$2,655,000
17	General Fund--Private/Local Appropriation	\$2,500,000
18	Aquatic Lands Enhancement Account--State Appropriation	\$500,000
19	Water Quality Account--State Appropriation (FY 2008)	\$3,660,000
20	Water Quality Account--State Appropriation (FY 2009)	(\$4,098,000)
21		<u>\$3,898,000</u>
22	State Toxics Account--State Appropriation	(\$1,510,000)
23		<u>\$1,710,000</u>
24	TOTAL APPROPRIATION	\$15,853,000

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

27 (1) \$600,000 of the water quality account--state appropriation for
28 fiscal year 2008, ~~(\$1,400,000)~~ \$1,200,000 of the water quality
29 account--state appropriation for fiscal year 2009, and \$2,500,000 of
30 the general fund--private/local appropriation are provided solely for
31 the education of citizens through attracting and utilizing volunteers
32 to engage in activities that result in environmental benefits.

33 (2) \$2,208,000 of the water quality account--state appropriation
34 for fiscal year 2008, \$2,209,000 of the water quality account--state
35 appropriation for fiscal year 2009, \$370,000 of the general fund--state
36 appropriation for fiscal year 2008, \$560,000 of the general fund--state
37 appropriation for fiscal year 2009, and \$1,155,000 of the general

1 fund--federal appropriation are provided solely to implement Substitute
2 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not
3 enacted by June 30, 2007, then \$2,208,000 of the water quality
4 account--state appropriation for fiscal year 2008, \$2,209,000 of the
5 water quality account--state appropriation for fiscal year 2009,
6 \$1,155,000 of the general fund--federal appropriation, \$500,000 of the
7 general fund--state appropriation for fiscal year 2008, and \$500,000 of
8 the general fund--state appropriation for fiscal year 2009 are
9 appropriated to the office of the governor for operation of the Puget
10 Sound action team.

11 (3) To implement the 2007-09 Puget Sound biennial plan required by
12 Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership),
13 funding is provided solely for Puget Sound recovery activities in the
14 budgets of selected agencies and institutions of higher education,
15 including the department of agriculture, department of community, trade
16 and economic development, conservation commission, department of
17 ecology, department of fish and wildlife, department of health,
18 interagency committee for outdoor recreation, department of natural
19 resources, state parks and recreation commission, the Puget Sound
20 partnership, University of Washington, and Washington State University.
21 During the 2007-09 biennium, moneys are provided solely for these
22 agencies and institutions of higher education as provided for in
23 ((LEAP)) OFM document ((~~PSAT-2007~~)) PSP-2009.

24 (4) \$305,000 of the water quality account--state appropriation for
25 fiscal year 2009 ((and \$305,000 of the general fund federal
26 appropriation are)) is provided solely for an outcome monitoring
27 program first for Puget Sound and Washington's coastline and then
28 across the remaining salmon recovery regions across the state.

29 (5) \$852,000 of the water quality account--state appropriation for
30 fiscal year 2008, \$231,000 of the water quality account--state
31 appropriation for fiscal year 2009, and \$900,000 of the state toxics
32 control account appropriation are provided solely for development and
33 implementation of the 2020 action agenda.

(End of part)

PART XIII
TRANSPORTATION

Sec. 1301. 2009 c 4 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund--State Appropriation (FY 2008)	\$38,968,000
General Fund--State Appropriation (FY 2009)	(\$28,334,000)
	<u>\$32,288,000</u>
General Fund--Federal Appropriation	\$5,629,000
General Fund--Private/Local Appropriation	\$1,223,000
Death Investigations Account--State Appropriation	(\$5,680,000)
	<u>\$5,681,000</u>
Public Safety and Education Account--State Appropriation (FY 2008)	\$1,476,000
Public Safety and Education Account--State Appropriation (FY 2009)	\$2,687,000
Enhanced 911 Account--State Appropriation	\$572,000
County Criminal Justice Assistance Account--State Appropriation	\$3,133,000
Municipal Criminal Justice Assistance Account--State Appropriation	\$1,222,000
Fire Service Trust Account--State Appropriation	\$131,000
Disaster Response Account--State Appropriation	\$2,000
Fire Service Training Account--State Appropriation	\$8,010,000
Aquatic Invasive Species Enforcement Account--State Appropriation	\$54,000
State Toxics Control Account--State Appropriation	\$495,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2008)	\$3,007,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2009)	\$4,429,000
Fingerprint Identification Account--State Appropriation	\$10,057,000
TOTAL APPROPRIATION	(\$115,109,000)
	<u>\$119,064,000</u>

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

3 (1) \$233,000 of the general fund--state appropriation for fiscal
4 year 2008, \$282,000 of the general fund--state appropriation for fiscal
5 year 2009, and \$357,000 of the fingerprint identification
6 account--state appropriation are provided solely for workload
7 associated with implementation of the federal Adam Walsh Act -- the
8 Children's Safety and Violent Crime Reduction Act of 2006.

9 (2) In accordance with RCW 10.97.100 and chapter 43.43 RCW, the
10 Washington state patrol is authorized to perform and charge fees for
11 criminal history and background checks for state and local agencies,
12 and nonprofit and other private entities and disseminate the records.
13 It is the policy of the state of Washington that the fees cover, as
14 nearly as practicable, the direct and indirect costs of performing
15 criminal history and background checks activities. Pursuant to RCW
16 43.135.055, during the 2007-2009 fiscal biennium, the Washington state
17 patrol may increase fees in excess of the fiscal growth factor if the
18 increases are necessary to fully fund the direct and indirect cost of
19 the criminal history and background check activities.

20 (3) \$200,000 of the fire service training account--state
21 appropriation is provided solely for two FTEs in the office of the
22 state director of fire protection to exclusively review K-12
23 construction documents for fire and life safety in accordance with the
24 state building code. It is the intent of this appropriation to provide
25 these services only to those districts that are located in counties
26 without qualified review capabilities.

27 (4) \$350,000 of the fire service training account--state
28 appropriation is provided solely to implement the provisions of Senate
29 Bill No. 6119 (firefighter apprenticeship training program). If the
30 bill is not enacted by June 30, 2007, the amounts provided in this
31 subsection shall lapse.

32 (5) \$200,000 of the general fund--state appropriation for fiscal
33 year 2009 is provided solely for efforts to reduce the number of
34 convicted offender biological samples awaiting DNA analysis.

35 (6) Within the appropriations in this section, specific funding is

1 provided to implement Second Substitute Senate Bill No. 5642 (cigarette
2 ignition).

(End of part)

PART XIV
EDUCATION

Sec. 1401. 2009 c 4 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2008)	\$36,444,000
General Fund--State Appropriation (FY 2009)	(\$38,605,000)
	<u>\$38,708,000</u>
General Fund--Federal Appropriation	\$77,182,000
TOTAL APPROPRIATION	(\$152,231,000)
	<u>\$152,334,000</u>

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

(1) ~~((A maximum of))~~ \$11,920,000 of the general fund--state appropriation for fiscal year 2008 and ~~((a maximum of \$12,019,000))~~ \$10,152,000 of the general fund--state appropriation for fiscal year 2009 are for the operation and expenses of the office of the superintendent of public instruction. Within the amounts provided in this subsection, the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award. The students selected for the award must demonstrate understanding through completion of at least one of the classroom-based civics assessment models developed by the superintendent of public instruction, and through leadership in the civic life of their communities. The superintendent shall select two students from eastern Washington and two students from western Washington to receive the award, and shall notify the governor and legislature of the names of the recipients.

(2) \$1,080,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$815,000)~~ \$796,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Within the amounts provided, the board shall implement the provisions of Second Substitute House Bill No. 1906 (improving mathematics and science education) for which it is

1 responsible, including: (a) Develop a comprehensive set of
2 recommendations for an accountability system; (b) adopt high school
3 graduation requirements aligned with international performance
4 standards in mathematics and science and, in conjunction with the
5 office of the superintendent of public instruction, identify no more
6 than three curricula that are aligned with these standards; and (c)
7 review all requirements related to the high school diploma as directed
8 by section 405, chapter 263, Laws of 2006.

9 (3) \$4,779,000 of the general fund--state appropriation for fiscal
10 year 2008 and (~~(\$6,248,000)~~) \$5,808,000 of the general fund--state
11 appropriation for fiscal year 2009 are provided solely to the
12 professional educator standards board for the following:

13 (a) \$930,000 in fiscal year 2008 and \$1,257,000 in fiscal year 2009
14 are for the operation and expenses of the Washington professional
15 educator standards board, including administering the alternative
16 routes to certification program, pipeline for paraeducators conditional
17 scholarship loan program, and the retooling to teach math conditional
18 loan program. Within the amounts provided in this subsection (3)(a),
19 the professional educator standards board shall: (i) Revise the
20 teacher mathematics endorsement competencies and alignment of teacher
21 tests to the updated competencies; (ii) review teacher preparation
22 requirements in cultural understanding and make recommendations for
23 strengthening these standards; (iii) create a new professional level
24 teacher assessment; (iv) expand the alternative routes to teacher
25 certification program for business professionals and instructional
26 assistants who will teach math and science; (v) revise requirements for
27 college and university teacher preparation programs to match a new
28 knowledge- and skill-based performance system; and (vi) test
29 implementation of a revised teacher preparation program approach that
30 is classroom experience-intensive and performance-based;

31 (b) \$3,269,000 of the general fund--state appropriation for fiscal
32 year 2008 and \$3,966,000 of the general fund-state appropriation for
33 fiscal year 2009 are for conditional scholarship loans and mentor
34 stipends provided through the alternative routes to certification
35 program administered by the professional educator standards board. Of
36 the amounts provided in this subsection (3)(b):

37 (i) \$500,000 each year is provided solely for conditional

1 scholarships to candidates seeking an endorsement in special education,
2 math, science, or bilingual education;

3 (ii) \$2,210,000 for fiscal year 2008 and \$3,230,000 for fiscal year
4 2009 are for the expansion of conditional scholarship loans and mentor
5 stipends for individuals enrolled in alternative route state
6 partnership programs and seeking endorsements in math, science, special
7 education or bilingual education;

8 (iii) Remaining amounts in this subsection (3)(b) shall be used to
9 continue existing alternative routes to certification programs; and

10 (iv) Candidates seeking math and science endorsements under (i) and
11 (ii) of this subsection (3)(b) shall receive priority for funding;

12 (c) \$236,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$231,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for the recruiting Washington
15 teachers program established in Second Substitute Senate Bill No. 5955
16 (educator preparation, professional development, and compensation);

17 (d) \$100,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$110,000 of the general fund--state appropriation for
19 fiscal year 2009 provided in this subsection (3) are for \$4,000
20 conditional loan stipends for paraeducators participating in the
21 pipeline for paraeducators established in Second Substitute House Bill
22 No. 1906 (improving mathematics and science education); and

23 (e) \$244,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$244,000 of the general fund--state appropriation for
25 fiscal year 2009 are for conditional stipends for certificated teachers
26 pursuing a mathematics or science endorsement under the retooling to
27 teach mathematics or science program established in Second Substitute
28 House Bill No. 1906 (improving mathematics and science education). The
29 conditional stipends shall be for endorsement exam fees as well as
30 stipends for teachers who must also complete coursework.

31 (4) Within the amounts appropriated in this section, funding is for
32 the professional educator standards board (PESB) to convene a work
33 group to develop recommendations for increasing teacher knowledge,
34 skills, and competencies to address the needs of English language
35 learner students, pursuant to Second Substitute Senate Bill No. 6673
36 (student learning opportunities).

37 (5) \$425,000 of the general fund--state appropriation for fiscal
38 year 2008 and \$1,975,000 of the general fund--state appropriation for

1 fiscal year 2009 are for replacement of the apportionment system, which
2 includes the processes that collect school district budget and
3 expenditure information, staffing characteristics, and the student
4 enrollments that drive the funding process.

5 (6) Within the amounts appropriated in this section, funding is for
6 direct services and support to schools around an integrated,
7 interdisciplinary approach to instruction in conservation, natural
8 resources, sustainability, and human adaptation to the environment.
9 Specific integration efforts will focus on science, math, and the
10 social sciences. Integration between basic education and career and
11 technical education, particularly agricultural and natural sciences
12 education, is to be a major element.

13 (7) Within the amounts appropriated in this section, funding is for
14 the creation of a statewide data base of longitudinal student
15 information. This amount is conditioned on the department satisfying
16 the requirements in section 902 of this act.

17 (8) Within the amounts appropriated in this section, funding is for
18 comprehensive cultural competence and anti-bias education programs for
19 educators and students. The office of superintendent of public
20 instruction shall administer grants to school districts with the
21 assistance and input of groups such as the anti-defamation league and
22 the Jewish federation of Seattle.

23 (9) Within the amounts appropriated in this section, funding is to
24 promote the financial literacy of students. The effort will be
25 coordinated through the financial literacy public-private partnership.

26 (10) Within the amounts appropriated in this section, funding is
27 for the implementation of Engrossed Second Substitute Senate Bill No.
28 5843 (regarding educational data and data systems).

29 (11) Within the amounts appropriated in this section, funding is
30 for the implementation of Substitute House Bill No. 1052 (legislative
31 youth advisory council). If the bill is not enacted by June 30, 2007,
32 the amounts provided in this subsection shall lapse.

33 (12) Within the amounts appropriated in this section, funding is
34 for the implementation of Engrossed Second Substitute House Bill No.
35 1422 (children and families of incarcerated parents).

36 (13) Within the amounts appropriated in this section, funding is
37 for the implementation of Second Substitute Senate Bill No. 5098

1 (Washington college bound scholarship). If the bill is not enacted by
2 June 30, 2007, the amounts provided in this subsection shall lapse.

3 (14) Within the amounts appropriated in this section, funding is
4 for the implementation of Engrossed Substitute Senate Bill No. 5297
5 (regarding providing medically and scientifically accurate sexual
6 health education in schools).

7 (15) Within the amounts appropriated in this section, funding is
8 for a program to recognize the work of outstanding classified staff in
9 school districts throughout the state.

10 (16) Within the amounts appropriated in this section, funding is
11 for a full-time director of skills centers within the office of the
12 superintendent of public instruction.

13 (17) Within the amounts appropriated in this section, funding is
14 for the office of the superintendent of public instruction to contract
15 with the northwest educational research laboratory (NWREL) to conduct
16 two educational studies. Specifically, NWREL shall:

17 (a) Conduct a study regarding teacher preparation, training, and
18 coordinated instructional support strategies for English language
19 learners, as outlined in Engrossed Second Substitute Senate Bill No.
20 5841 (enhancing student learning opportunities and achievement). An
21 interim report is due November 1, 2008, and the final report is due
22 December 1, 2009. Both reports shall be delivered to the governor, the
23 office of the superintendent of public instruction, and the appropriate
24 early learning, education, and fiscal committees of the legislature;
25 and

26 (b) Conduct a study of the effectiveness of the K-3 demonstration
27 projects as outlined in Engrossed Second Substitute Senate Bill No.
28 5841 (enhancing student learning opportunities and achievement). An
29 interim report is due November 1, 2008, and the final report is due
30 December 1, 2009. Both reports shall be delivered to the governor, the
31 office of the superintendent of public instruction, and the appropriate
32 early learning, education, and fiscal committees of the legislature.

33 (18) Within the amounts appropriated in this section, funding is
34 for the office of the superintendent of public instruction to contract
35 with Washington State University social and economic sciences research
36 center (WSU-SESRC) to conduct to educational research studies. The
37 WSU-SESRC shall:

1 (a) Conduct a study which reviews chapter 207, Laws of 2002
2 (bullying in schools), evaluate the outcomes resulting from the
3 legislation, and to make recommendations for continued improvement.
4 The study shall, at a minimum, determine: (i) Whether the policies
5 have been developed and implemented in all elementary, middle, and high
6 schools; (ii) whether there has been any measurable improvement in the
7 safety and civility of schools' climate and environment as a result of
8 the legislation; (iii) whether there are still issues that need to be
9 addressed in light of the original intent of the legislation; and (iv)
10 recommended actions to be taken at the school, district, and state
11 level to address the identified issues. Additionally, WSU-SESRC shall
12 research and identify effective programs and the components of
13 effective programs. A report shall be submitted to the education
14 committees of the legislature and the office of the superintendent of
15 public instruction by September 1, 2008.

16 (b) Conduct an evaluation of the mathematics and science
17 instructional coach program as described in Second Substitute House
18 Bill No. 1906 (improving mathematics and science education). Findings
19 shall include an evaluation of the coach development institute,
20 coaching support seminars, and other coach support activities;
21 recommendations with regard to the characteristics required of the
22 coaches; identification of changes in teacher instruction related to
23 coaching activities; and identification of the satisfaction level with
24 coaching activities as experienced by classroom teachers and
25 administrators. An interim report is due November 1, 2008. The final
26 report is due December 1, 2009. Both the interim and final report
27 shall be presented to the governor, the office of the superintendent of
28 public instruction, and the education and fiscal committees of the
29 legislature.

30 (19) Within the amounts appropriated in this section, funding is
31 for additional costs incurred by the state board of education in
32 reviewing proposed math standards and curriculum.

33 (20) During the 2007-09 biennium, to the maximum extent possible,
34 in adopting new agency rules or making any changes to existing rules or
35 policies related to the fiscal provisions in the administration of part
36 V of this act, the office of the superintendent of public instruction
37 shall attempt to request approval through the normal legislative budget
38 process.

1 (21) Within the amounts appropriated in this section, funding is
2 for a comprehensive analysis of math and science teacher supply and
3 demand issues by the professional educator standards board. By
4 December 1, 2008, the professional educator standards board shall
5 submit a final report to the governor and appropriate policy and fiscal
6 committees of the legislature, that includes, but is not limited to:
7 (a) Specific information on the current number of math and science
8 teachers assigned to teach mathematics and science both with and
9 without appropriate certification in those subjects by region and
10 statewide; (b) projected demand information by detailing the number of
11 K-12 mathematics and science teachers needed by the 2010-11 school year
12 by region and statewide; (c) specific recommendations on how the demand
13 will be met through recruitment programs, alternative route
14 certification programs, potential financial incentives, retention
15 strategies, and other efforts; and (d) identification of strategies,
16 based on best practices, to improve the rigor and productivity of
17 state-funded mathematics and science teacher preparation programs. As
18 part of the final report, the professional educator standards board and
19 the Washington state institute for public policy shall provide
20 information from a study of differential pay for teachers in high-
21 demand subject areas such as mathematics and science, including the
22 design, successes, and limitations of differential pay programs in
23 other states. In order for the professional educator standards board
24 to quantify demand, each school district shall provide to the board, by
25 a date and in a format specified by the board, the number of teachers
26 assigned to teach mathematics and science, both with and without
27 appropriate certification and endorsement in those subjects, and the
28 number of mathematics and science teaching vacancies needing to be
29 filled, and the board shall include this data, by district, in its
30 analysis.

31 (22) Within the amounts appropriated in this section, funding is
32 for the implementation of Substitute Senate Bill No. 6556 (anaphylactic
33 policy).

34 (23) Within the amounts appropriated in this section, funding is
35 for the implementation of Substitute Senate Bill No. 6742 (guidelines
36 for students with autism) and Substitute Senate Bill No. 6743
37 (training for students with autism).

1 (24) Within the appropriations in this section, specific funding is
2 provided for the implementation of Second Engrossed Substitute Senate
3 Bill No. 5100 (health insurance information for students).

4 (25) Within the amounts appropriated in this section, funding is
5 for implementation of Second Substitute House Bill No. 2722
6 (achievement gap for African-American students). The center for the
7 improvement of student learning will convene an advisory committee to
8 conduct a detailed analysis of the achievement gap for African-American
9 students; recommend a comprehensive plan for closing the gap pursuant
10 to goals under the federal no child left behind act for all groups of
11 students to meet academic standards by 2014; and identify performance
12 measures to monitor adequate yearly progress. A study update shall be
13 submitted by September 15, 2008, and the committee's final report shall
14 be submitted by December 30, 2008, to the superintendent of public
15 instruction, the state board of education, the governor, the P-20
16 council, the basic education finance task force, and the education
17 committees of the legislature.

18 (26) Within the appropriations in this section specific funding is
19 provided to implement Second Substitute House Bill No. 2598 (online
20 mathematics curriculum).

21 (27) Within the appropriations in this section specific funding is
22 provided to implement Second Substitute House Bill No. 2635 (school
23 district boundaries and organization).

24 (28) Within the appropriations in this section specific funding is
25 provided to implement Second Substitute House Bill No. 3129 (online
26 learning programs for high school students to earn college credit).

27 (29) Within the amounts appropriated in this section, funding is
28 for the office of superintendent of public instruction to assign at
29 least one full-time equivalent staff position to serve as the world
30 language supervisor.

31 (30) Within the amounts appropriated in this section, funding is
32 for a corps of nurses located at educational service districts, as
33 determined by the superintendent of public instruction, to be
34 dispatched to the most needy schools to provide direct care to
35 students, health education, and training for school staff.

36 (31) Within the amounts appropriated in this section, funding is
37 for the school safety center in the office of the superintendent of
38 public instruction subject to the following conditions and limitations:

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

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

13 (32) Within the amounts appropriated in this section, funding is
14 for a school safety training program provided by the criminal justice
15 training commission. The commission, in collaboration with the school
16 safety center advisory committee, shall provide the school safety
17 training for all school administrators and school safety personnel,
18 including school safety personnel hired after the effective date of
19 this section.

20 (33) Within the amounts appropriated in this section, funding is
21 for the safety center advisory committee to develop and distribute a
22 pamphlet to promote internet safety for children, particularly in
23 grades seven through twelve. The pamphlet shall be posted on the
24 superintendent of public instruction's web site. To the extent
25 possible, the pamphlet shall be distributed in schools throughout the
26 state and in other areas accessible to youth, including but not limited
27 to libraries and community centers.

28 (34) \$9,670,000 of the general fund--federal appropriation is
29 provided for safe and drug free schools and communities grants for drug
30 and violence prevention activities and strategies.

31 (35) Within the amounts appropriated in this section, funding is
32 for a nonviolence and leadership training program provided by the
33 institute for community leadership. The program shall provide a
34 request for proposal process, with up to 80 percent funding, for
35 nonviolence leadership workshops serving at least 12 school districts
36 with direct programming in 36 elementary, middle, and high schools
37 throughout Washington state.

1 (36) Within the amounts appropriated in this section, funding is
2 for a pilot youth suicide prevention and information program. The
3 office of superintendent of public instruction will work with selected
4 school districts and community agencies in identifying effective
5 strategies for preventing youth suicide.

6 (37) Within the amounts appropriated in this section, funding is
7 for programs to improve safety and emergency preparedness and planning
8 in public schools, as generally described in Substitute Senate Bill No.
9 5097. The superintendent of public instruction shall design and
10 implement the grant program in consultation with the educational
11 service districts, the school safety advisory committee, and the
12 Washington association of sheriffs and police chiefs. The funding
13 shall support grants to school districts for the development and
14 updating of comprehensive safe school plans, school safety training,
15 and the conducting of safety-related drills. As a condition of
16 receiving these funds, school districts must ensure that schools (a)
17 conduct at least one lockdown and one shelter in place safety drill
18 each school year, and (b) send updated school mapping database
19 information on an annual basis to the Washington association of
20 sheriffs and police chiefs.

21 (38) Within the amounts appropriated in this section, funding is
22 for the Washington state school directors' association to mediate and
23 facilitate a school disciplinary action task force to review and make
24 recommendations on a model policy regarding the use of physical force
25 in schools. The model policy shall be submitted to the appropriate
26 policy committees of the legislature by November 1, 2008.

27 (39) Within the amounts appropriated in this section, funding is
28 for K-20 telecommunications network technical support in the K-12
29 sector to prevent system failures and avoid interruptions in school
30 utilization of the data processing and video-conferencing capabilities
31 of the network. These funds may be used to purchase engineering and
32 advanced technical support for the network.

33 (40) The office of the superintendent of public instruction shall
34 coordinate, in collaboration with educational service districts, a
35 system of outreach to school districts not currently maximizing their
36 eligibility for federal e-rate funding through the schools and
37 libraries program administered by the federal communications
38 commission. By December 15, 2008, the office of the superintendent of

1 public instruction shall issue a report to the fiscal committees of the
2 legislature identifying school districts that were eligible but did not
3 apply for e-rate funding for the last two years, and an estimate of the
4 amounts for which they were eligible in those years. The report shall
5 also include recommendations for following-up on the findings relative
6 to the e-rate program contained in the state auditor's performance
7 audit of educational service districts completed September, 2007.

8 (41) Within the amounts appropriated in this section, funding is to
9 expand the special services pilot project to include up to seven
10 participating districts. The office of the superintendent of public
11 instruction shall allocate these funds to the district or districts
12 participating in the pilot program according to the provisions of RCW
13 28A.630.016.

14 (42) Within the amounts appropriated in this section, funding is
15 for operation of the Cispus environmental learning center.

16 (43) Within the amounts appropriated in this section, funding is
17 for vocational student leadership organizations.

18 (44) Within the amounts appropriated in this section, funding is
19 for the Washington civil liberties education program.

20 (45) Within the amounts appropriated in this section, funding is
21 for the Washington state achievers scholarship program. The funds
22 shall be used to support community involvement officers that recruit,
23 train, and match community volunteer mentors with students selected as
24 achievers scholars.

25 (46) Within the amounts appropriated in this section, funding is
26 for the Lorraine Wojahn dyslexia pilot reading program in up to five
27 school districts.

28 (47) Within the amounts appropriated in this section, funding is
29 for developing and disseminating curriculum and other materials
30 documenting women's role in World War II.

31 (48) Within the amounts appropriated in this section, funding is
32 for incentive grants for districts and pilot projects to develop
33 preapprenticeship programs. Incentive grant awards up to \$10,000 each
34 shall be used to support the program's design, school/business/labor
35 agreement negotiations, and recruiting high school students for
36 preapprenticeship programs in the building trades and crafts.

37 (49) Within the amounts appropriated in this section, funding is
38 for the dissemination of the Navigation 101 curriculum to all

1 districts, including disseminating electronic student planning tools
2 and software for analyzing the impact of the implementation of
3 Navigation 101 on student performance, and grants to at least one
4 hundred school districts each year for the implementation of the
5 Navigation 101 program. The implementation grants will be limited to
6 a maximum of two years and the school districts selected shall
7 represent various regions of the state and reflect differences in
8 school district size and enrollment characteristics.

9 (50) Within the amounts appropriated in this section, funding is
10 for the enhancement of civics education. Of this amount, \$25,000 each
11 year is provided solely for competitive grants to school districts for
12 curriculum alignment, development of innovative civics projects, and
13 other activities that support the civics assessment established in
14 chapter 113, Laws of 2006.

15 (51) Within the amounts appropriated in this section, funding is
16 for the implementation of Second Substitute House Bill No. 1573
17 (authorizing a statewide program for comprehensive dropout prevention,
18 intervention, and retrieval).

19 (52) Within the amounts appropriated in this section, funding is
20 for the communities in school program in Pierce county.

21 (53) Within the amounts appropriated in this section, funding is
22 for support and expansion of the mentoring advanced placement program
23 in current operation in southwest Washington.

24 (54) Within the amounts appropriated in this section, funding is
25 for program initiatives to address the educational needs of Latino
26 students and families. The office of the superintendent of public
27 instruction shall contract with the Seattle community coalition of
28 compaña quetzal to provide for three initiatives: (a) Early childhood
29 education; (b) parent leadership training; and (c) high school success
30 and college preparation programs. Campana quetzal shall report to the
31 office of the superintendent of public instruction by June 30, 2009,
32 regarding impact of the programs on addressing the academic achievement
33 gap, including high school drop-out rates and college readiness rates,
34 for Latino students.

35 (55) Within the amounts appropriated in this section, funding is
36 for implementation of Second Substitute House Bill No. 2870
37 (professional development for instructional assistants). If the bill

1 is not enacted by June 30, 2008, the amount provided in this subsection
2 shall lapse.

3 (56) Within the amounts appropriated in this section, funding is
4 for a pilot project to encourage bilingual high school students to
5 pursue public school teaching as a profession. The office of the
6 superintendent of public instruction shall contract with the Latino/a
7 educational achievement project (LEAP) to work with school districts to
8 identify and mentor not fewer than fifty bilingual students in their
9 junior year of high school, encouraging them to become bilingual
10 instructors in schools with high English language learner populations.
11 Students shall be mentored by bilingual teachers and complete a
12 curriculum developed and approved by the participating districts.

13 (57) In addition to other reductions, the reduced appropriations in
14 this section reflect an additional (~~(\$225,000)~~) \$122,000 reduction in
15 administrative costs required by Engrossed Substitute Senate Bill No.
16 5460 (reducing state government administrative costs). These
17 administrative reductions shall be achieved, to the greatest extent
18 possible, by reducing those administrative costs that do not affect
19 direct client services or direct service delivery or programs.

20 **Sec. 1402.** 2009 c 4 s 502 (uncodified) is amended to read as
21 follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
23 **APPORTIONMENT**

24	General Fund--State Appropriation (FY 2008)	\$4,436,719,000
25	General Fund--State Appropriation (FY 2009)	((\$4,477,998,000))
26		<u>\$4,510,419,000</u>
27	Education Legacy Trust Account--State	
28	Appropriation	((\$9,373,000))
29		<u>\$9,387,000</u>
30	Pension Funding Stabilization Account Appropriation	\$341,624,000
31	TOTAL APPROPRIATION	((\$9,265,714,000))
32		<u>\$9,298,149,000</u>

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

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

1 (2) Allocations for certificated staff salaries for the 2007-08 and
2 2008-09 school years shall be determined using formula-generated staff
3 units calculated pursuant to this subsection. Staff allocations for
4 small school enrollments in (e) through (g) of this subsection shall be
5 reduced for vocational full-time equivalent enrollments. Staff
6 allocations for small school enrollments in grades K-6 shall be the
7 greater of that generated under (a) of this subsection, or under (d)
8 and (e) of this subsection. Certificated staffing allocations shall be
9 as follows:

10 (a) On the basis of each 1,000 average annual full-time equivalent
11 enrollments, excluding full-time equivalent enrollment otherwise
12 recognized for certificated staff unit allocations under (d) through
13 (g) of this subsection:

14 (i) Four certificated administrative staff units per thousand full-
15 time equivalent students in grades K-12;

16 (ii) Forty-nine certificated instructional staff units per thousand
17 full-time equivalent students in grades K-3;

18 (iii) Forty-six certificated instructional staff units per thousand
19 full-time equivalent students in grades 4-12; and

20 (iv) An additional 4.2 certificated instructional staff units for
21 grades K-3 and an additional 7.2 certificated instructional staff units
22 for grade 4. Any funds allocated for the additional certificated units
23 provided in this subsection (iv) shall not be considered as basic
24 education funding;

25 (A) Funds provided under this subsection (2)(a)(iv) in excess of
26 the amount required to maintain the statutory minimum ratio established
27 under RCW 28A.150.260(2)(b) shall be allocated only if the district
28 documents an actual ratio in grades K-4 equal to or greater than 53.2
29 certificated instructional staff per thousand full-time equivalent
30 students. For any school district documenting a lower certificated
31 instructional staff ratio, the allocation shall be based on the
32 district's actual grades K-4 certificated instructional staff ratio
33 achieved in that school year, or the statutory minimum ratio
34 established under RCW 28A.150.260(2)(b), if greater;

35 (B) Districts at or above 51.0 certificated instructional staff per
36 one thousand full-time equivalent students in grades K-4 may dedicate
37 up to 1.3 of the 53.2 funding ratio to employ additional classified
38 instructional assistants assigned to basic education classrooms in

1 grades K-4. For purposes of documenting a district's staff ratio under
2 this section, funds used by the district to employ additional
3 classified instructional assistants shall be converted to a
4 certificated staff equivalent and added to the district's actual
5 certificated instructional staff ratio. Additional classified
6 instructional assistants, for the purposes of this subsection, shall be
7 determined using the 1989-90 school year as the base year;

8 (C) Any district maintaining a ratio in grades K-4 equal to or
9 greater than 53.2 certificated instructional staff per thousand full-
10 time equivalent students may use allocations generated under this
11 subsection (2)(a)(iv) in excess of that required to maintain the
12 minimum ratio established under RCW 28A.150.260(2)(b) to employ
13 additional basic education certificated instructional staff or
14 classified instructional assistants in grades 5-6. Funds allocated
15 under this subsection (2)(a)(iv) shall only be expended to reduce class
16 size in grades K-6. No more than 1.3 of the certificated instructional
17 funding ratio amount may be expended for provision of classified
18 instructional assistants;

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

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

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

31 (B) Skills center programs meeting the standards for skills center
32 funding established in January 1999 by the superintendent of public
33 instruction with a waiver allowed for skills centers in current
34 operation that are not meeting this standard until the 2008-09 school
35 year, 0.92 certificated instructional staff units and 0.08 certificated
36 administrative units for each 16.67 full-time equivalent vocational
37 students;

1 (ii) Vocational full-time equivalent enrollment shall be reported
2 on the same monthly basis as the enrollment for students eligible for
3 basic support, and payments shall be adjusted for reported vocational
4 enrollments on the same monthly basis as those adjustments for
5 enrollment for students eligible for basic support; and

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

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

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

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

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

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

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

37 (f) For districts operating no more than two high schools with

1 enrollments of less than three hundred average annual full-time
2 equivalent students, for enrollment in grades 9-12 in each such school,
3 other than alternative schools:

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

9 (ii) For all other small high schools under this subsection, nine
10 certificated instructional staff units and one-half of a certificated
11 administrative staff unit for the first sixty average annual full time
12 equivalent students, and additional staff units based on a ratio of
13 0.8732 certificated instructional staff units and 0.1268 certificated
14 administrative staff units per each additional forty-three and one-half
15 average annual full time equivalent students.

16 Units calculated under (g)(ii) of this subsection shall be reduced
17 by certificated staff units at the rate of forty-six certificated
18 instructional staff units and four certificated administrative staff
19 units per thousand vocational full-time equivalent students;

20 (g) For each nonhigh school district having an enrollment of more
21 than seventy annual average full-time equivalent students and less than
22 one hundred eighty students, operating a grades K-8 program or a grades
23 1-8 program, an additional one-half of a certificated instructional
24 staff unit; and

25 (i) For each nonhigh school district having an enrollment of more
26 than fifty annual average full-time equivalent students and less than
27 one hundred eighty students, operating a grades K-6 program or a grades
28 1-6 program, an additional one-half of a certificated instructional
29 staff unit.

30 (3) Allocations for classified salaries for the 2007-08 and 2008-09
31 school years shall be calculated using formula-generated classified
32 staff units determined as follows:

33 (a) For enrollments generating certificated staff unit allocations
34 under subsection (2)(e) through (i) of this section, one classified
35 staff unit for each 2.94 certificated staff units allocated under such
36 subsections;

37 (b) For all other enrollment in grades K-12, including vocational

1 full-time equivalent enrollments, one classified staff unit for each
2 58.75 average annual full-time equivalent students; and

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

7 (4) Fringe benefit allocations shall be calculated at a rate of
8 14.11 percent in the 2007-08 school year and 16.75 percent in the 2008-
9 09 school year for certificated salary allocations provided under
10 subsection (2) of this section, and a rate of 17.04 percent in the
11 2007-08 school year and 18.72 percent in the 2008-09 school year for
12 classified salary allocations provided under subsection (3) of this
13 section.

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

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

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

25 (6)(a) For nonemployee-related costs associated with each
26 certificated staff unit allocated under subsection (2)(a), (b), and (d)
27 through (h) of this section, there shall be provided a maximum of
28 \$9,703 per certificated staff unit in the 2007-08 school year and a
29 maximum of \$10,178 per certificated staff unit in the 2008-09 school
30 year.

31 (b) For nonemployee-related costs associated with each vocational
32 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
33 section, there shall be provided a maximum of \$23,831 per certificated
34 staff unit in the 2007-08 school year and a maximum of \$24,999 per
35 certificated staff unit in the 2008-09 school year.

36 (c) For nonemployee-related costs associated with each vocational
37 certificated staff unit allocated under subsection (2)(c)(i)(B) of this

1 section, there shall be provided a maximum of \$18,489 per certificated
2 staff unit in the 2007-08 school year and a maximum of \$19,395 per
3 certificated staff unit in the 2008-09 school year.

4 (7) Allocations for substitute costs for classroom teachers shall
5 be distributed at a maintenance rate of \$555.20 for the 2007-08 and
6 2008-09 school years per allocated classroom teachers exclusive of
7 salary increase amounts provided in section 504 of this act. Solely
8 for the purposes of this subsection, allocated classroom teachers shall
9 be equal to the number of certificated instructional staff units
10 allocated under subsection (2) of this section, multiplied by the ratio
11 between the number of actual basic education certificated teachers and
12 the number of actual basic education certificated instructional staff
13 reported statewide for the prior school year.

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

23 (9) \$1,870,000 of the general fund--state appropriation for fiscal
24 year 2008 and \$2,421,000 of the general fund--state appropriation for
25 fiscal year 2009 are provided solely to implement Engrossed Second
26 Substitute House Bill No. 1432 (granting service credit to educational
27 staff associates for nonschool employment).

28 (10) The superintendent may distribute a maximum of (~~(\$16,620,000)~~)
29 \$16,634,000 outside the basic education formula during fiscal years
30 2008 and 2009 as follows:

31 (a) For fire protection for school districts located in a fire
32 protection district as now or hereafter established pursuant to chapter
33 52.04 RCW, a maximum of \$547,000 may be expended in fiscal year 2008
34 and a maximum of \$567,000 may be expended in fiscal year 2009;

35 (b) For summer vocational programs at skills centers, a maximum of
36 \$2,385,000 may be expended for the 2008 fiscal year and a maximum of
37 \$2,385,000 for the 2009 fiscal year. 20 percent of each fiscal year
38 amount may carry over from one year to the next;

1 (c) A maximum of \$393,000 may be expended for school district
2 emergencies;

3 (d) A maximum of \$485,000 each fiscal year may be expended for
4 programs providing skills training for secondary students who are
5 enrolled in extended day school-to-work programs, as approved by the
6 superintendent of public instruction. The funds shall be allocated at
7 a rate not to exceed \$500 per full-time equivalent student enrolled in
8 those programs; and

9 (e) (~~(\$9,373,000)~~) \$9,387,000 of the education legacy trust account
10 appropriation is provided solely for allocations for equipment
11 replacement in vocational programs and skills centers. Each year of
12 the biennium, the funding shall be allocated based on \$75 per full-time
13 equivalent vocational student and \$125 per full-time equivalent skills
14 center student.

15 (f) Within the amounts appropriated in this section, funding is for
16 the implementation of Second Substitute Senate Bill No. 5790 (regarding
17 skills centers).

18 (11) For purposes of RCW 84.52.0531, the increase per full-time
19 equivalent student is 5.7 percent from the 2006-07 school year to the
20 2007-08 school year and 6.0 percent from the 2007-08 school year to the
21 2008-09 school year.

22 (12) If two or more school districts consolidate and each district
23 was receiving additional basic education formula staff units pursuant
24 to subsection (2)(b) through (h) of this section, the following shall
25 apply:

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

30 (b) For the fourth through eighth school years following
31 consolidation, the difference between the basic education formula staff
32 units received by the districts for the school year prior to
33 consolidation and the basic education formula staff units after
34 consolidation pursuant to subsection (2)(a) through (h) of this section
35 shall be reduced in increments of twenty percent per year.

36 (13) The appropriation levels in part V of this act assume
37 implementation of the reimbursement provisions of Senate Bill No. 6450
38 (school district reimbursement of performance audits).

1 salary increases shall ensure a minimum salary allocation for
2 certificated administrative staff of \$54,405 in the 2007-08 school year
3 and \$57,986 in the 2008-09 school year.

4 (e) Additional salary increases to certain districts as necessary
5 to fund the per full-time-equivalent salary allocations for classified
6 staff as listed for each district in LEAP Document 2, defined in
7 section 503(2)(b) of this act. These additional salary increases
8 ensure a minimum salary allocation for classified staff of \$30,111 in
9 the 2007-08 school year and \$31,865 in the 2008-09 school year.

10 (f) The appropriations in this subsection (1) include associated
11 incremental fringe benefit allocations at rates 13.47 percent for the
12 2007-08 school year and 16.11 percent for the 2008-09 school year for
13 certificated staff and 13.54 percent for the 2007-08 school year and
14 15.22 percent for the 2008-09 school year for classified staff.

15 (g) The appropriations in this section include the increased
16 portion of salaries and incremental fringe benefits for all relevant
17 state-funded school programs in part V of this act. Increases for
18 general apportionment (basic education) are based on the salary
19 allocation schedules and methodology in sections 502 and 503 of this
20 act. Increases for special education result from increases in each
21 district's basic education allocation per student. Increases for
22 educational service districts and institutional education programs are
23 determined by the superintendent of public instruction using the
24 methodology for general apportionment salaries and benefits in sections
25 502 and 503 of this act.

26 (h) The appropriations in this section provide cost of living and
27 incremental fringe benefit allocations based on formula adjustments as
28 follows:

	School Year	
	2007-08	2008-09
Pupil Transportation (per weighted pupil mile)	\$1.08	\$2.46
Highly Capable (per formula student)	\$11.13	\$25.51
Transitional Bilingual Education (per eligible bilingual student)	\$29.80	\$68.33
Learning Assistance (per formula student)	\$7.00	\$18.86

(i) The appropriations in this section include \$925,000 for fiscal year 2008 and (~~(\$2,314,000)~~) \$2,322,000 for fiscal year 2009 for salary increase adjustments for substitute teachers.

(2) (~~(\$66,591,000)~~) \$66,719,000 is provided for adjustments to insurance benefit allocations. The maintenance rate for insurance benefit allocations is \$682.54 per month for the 2007-08 and 2008-09 school years. The appropriations in this section provide for a rate increase to \$707.00 per month for the 2007-08 school year and \$732.00 per month for the 2008-09 school year. The adjustments to health insurance benefit allocations are at the following rates:

	School Year	
	2007-08	2008-09
Pupil Transportation (per weighted pupil mile)	\$0.22	\$0.45
Highly Capable (per formula student)	\$1.50	\$3.05
Transitional Bilingual Education (per eligible bilingual student)	\$3.96	\$8.01
Learning Assistance (per formula student)	\$0.86	\$2.05

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

Sec. 1404. 2008 c 329 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION

General Fund--State Appropriation (FY 2008)	\$273,409,000
General Fund--State Appropriation (FY 2009)	((\$276,510,000))
	<u>\$291,499,000</u>
Education Legacy Trust Account--State	
Appropriation	\$25,000,000
TOTAL APPROPRIATION	((\$574,919,000))
	<u>\$589,908,000</u>

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

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

1 (2) A maximum of \$848,000 of this fiscal year 2008 appropriation
2 and a maximum of \$878,000 of the fiscal year 2009 appropriation may be
3 expended for regional transportation coordinators and related
4 activities. The transportation coordinators shall ensure that data
5 submitted by school districts for state transportation funding shall,
6 to the greatest extent practical, reflect the actual transportation
7 activity of each district.

8 (3) \$5,000 of the fiscal year 2008 appropriation and \$5,000 of the
9 fiscal year 2009 appropriation are provided solely for the
10 transportation of students enrolled in "choice" programs.
11 Transportation shall be limited to low-income students who are
12 transferring to "choice" programs solely for educational reasons.

13 (4) Allocations for transportation of students shall be based on
14 reimbursement rates of \$44.84 per weighted mile in the 2007-08 school
15 year and \$45.68 per weighted mile in the 2008-09 school year exclusive
16 of salary and benefit adjustments provided in section 504 of this act.
17 Allocations for transportation of students transported more than one
18 radius mile shall be based on weighted miles as determined by
19 superintendent of public instruction multiplied by the per mile
20 reimbursement rates for the school year pursuant to the formulas
21 adopted by the superintendent of public instruction. Allocations for
22 transportation of students living within one radius mile shall be based
23 on the number of enrolled students in grades kindergarten through five
24 living within one radius mile of their assigned school multiplied by
25 the per mile reimbursement rate for the school year multiplied by 1.29.

26 (5) \$25,000,000 of the education legacy trust account--state
27 appropriation is provided solely for temporary assistance to school
28 districts for pupil transportation programs. The office of the
29 superintendent of public instruction, in consultation with the joint
30 legislative audit and review committee, will develop a method of
31 allocating these funds to school districts. The allocation method
32 shall be based primarily on the findings and analysis from the joint
33 legislative and audit review committee's K-12 pupil transportation
34 study completed in December 2006.

35 (6) The office of the superintendent of public instruction shall
36 provide reimbursement funding to a school district only after the
37 superintendent of public instruction determines that the school bus was
38 purchased from the list established pursuant to RCW 28A.160.195(2) or

1 a comparable competitive bid process based on the lowest price quote
2 based on similar bus categories to those used to establish the list
3 pursuant to RCW 28A.160.195.

4 (7) The superintendent of public instruction shall base
5 depreciation payments for school district buses on the five-year
6 average of lowest bids in the appropriate category of bus. In the
7 final year on the depreciation schedule, the depreciation payment shall
8 be based on the lowest bid in the appropriate bus category for that
9 school year.

10 **Sec. 1405.** 2008 c 329 s 506 (uncodified) is amended to read as
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
13 **PROGRAMS**

14	General Fund--State Appropriation (FY 2008)	\$543,469,000
15	General Fund--State Appropriation (FY 2009)	((\$581,925,000))
16		<u>\$580,312,000</u>
17	General Fund--Federal Appropriation	((\$435,692,000))
18		<u>\$438,852,000</u>
19	Education Legacy Trust Account--State	
20	Appropriation	\$14,561,000
21	TOTAL APPROPRIATION	((\$1,575,647,000))
22		<u>\$1,577,194,000</u>

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

25 (1) Funding for special education programs is provided on an excess
26 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
27 that special education students as a class receive their full share of
28 the general apportionment allocation accruing through sections 502 and
29 504 of this act. To the extent a school district cannot provide an
30 appropriate education for special education students under chapter
31 28A.155 RCW through the general apportionment allocation, it shall
32 provide services through the special education excess cost allocation
33 funded in this section.

34 (2)(a) The superintendent of public instruction shall ensure that:
35 (i) Special education students are basic education students first;
36 (ii) As a class, special education students are entitled to the
37 full basic education allocation; and

1 (iii) Special education students are basic education students for
2 the entire school day.

3 (b) The superintendent of public instruction shall adopt the full
4 cost method of excess cost accounting, as designed by the committee and
5 recommended by the superintendent, pursuant to section 501(1)(k),
6 chapter 372, Laws of 2006, and ensure that all school districts adopt
7 the method beginning in the 2007-08 school year.

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

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

21 (5)(a) For the 2007-08 and 2008-09 school years, the superintendent
22 shall make allocations to each district based on the sum of:

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

28 (ii) A district's annual average full-time equivalent basic
29 education enrollment multiplied by the funded enrollment percent
30 determined pursuant to subsection (6)(b) of this section, multiplied by
31 the district's average basic education allocation per full-time
32 equivalent student multiplied by 0.9309.

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

37 (6) The definitions in this subsection apply throughout this
38 section.

1 (a) "Annual average full-time equivalent basic education
2 enrollment" means the resident enrollment including students enrolled
3 through choice (RCW 28A.225.225) and students from nonhigh districts
4 (RCW 28A.225.210) and excluding students residing in another district
5 enrolled as part of an interdistrict cooperative program (RCW
6 28A.225.250).

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

12 Each district's general fund--state funded special education
13 enrollment shall be the lesser of the district's actual enrollment
14 percent or 12.7 percent.

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

24 (8) To the extent necessary, (~~(\$53,926,000)~~) \$56,553,000 of the
25 general fund--state appropriation and \$29,574,000 of the general fund--
26 federal appropriation are provided for safety net awards for districts
27 with demonstrated needs for special education funding beyond the
28 amounts provided in subsection (5) of this section. If the federal
29 safety net awards based on the federal eligibility threshold exceed the
30 federal appropriation in this subsection (8) in any fiscal year, the
31 superintendent shall expend all available federal discretionary funds
32 necessary to meet this need. Safety net funds shall be awarded by the
33 state safety net oversight committee subject to the following
34 conditions and limitations:

35 (a) The committee shall consider unmet needs for districts that can
36 convincingly demonstrate that all legitimate expenditures for special
37 education exceed all available revenues from state funding formulas.
38 In the determination of need, the committee shall also consider

1 additional available revenues from federal sources. Differences in
2 program costs attributable to district philosophy, service delivery
3 choice, or accounting practices are not a legitimate basis for safety
4 net awards. In the determination of need, the committee shall require
5 that districts demonstrate that they are maximizing their eligibility
6 for all state and federal revenues related to services for special
7 education-eligible students. Awards associated with (b) and (c) of
8 this subsection shall not exceed the total of a district's specific
9 determination of need.

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

15 (c) Using criteria developed by the committee, the committee shall
16 then consider extraordinary costs associated with communities that draw
17 a larger number of families with children in need of special education
18 services. The safety net awards to school districts shall be adjusted
19 to reflect amounts awarded under (b) of this subsection.

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

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

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

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

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

37 (a) One staff from the office of superintendent of public
38 instruction;

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

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

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

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

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

21 (14) \$50,000 of the general fund--state appropriation for fiscal
22 year 2008, \$50,000 of the general fund--state appropriation for fiscal
23 2009, and \$100,000 of the general fund--federal appropriation shall be
24 expended to support a special education ombudsman program within the
25 office of superintendent of public instruction. The purpose of the
26 program is to provide support to parents, guardians, educators, and
27 students with disabilities. The program will provide information to
28 help families and educators understand state laws, rules, and
29 regulations, and access training and support, technical information
30 services, and mediation services. The ombudsman program will provide
31 data, information, and appropriate recommendations to the office of
32 superintendent of public instruction, school districts, educational
33 service districts, state need projects, and the parent and teacher
34 information center. Within the appropriations in this section there is
35 sufficient funding provided to also provide at least a half-time
36 support staff position for the special education ombudsman program.

37 (15) The superintendent shall maintain the percentage of federal
38 flow-through to school districts at 85 percent. In addition to other

1 purposes, school districts may use increased federal funds for high-
2 cost students, for purchasing regional special education services from
3 educational service districts, and for staff development activities
4 particularly relating to inclusion issues.

5 (16) A maximum of \$1,200,000 of the general fund--federal
6 appropriation may be expended by the superintendent for projects
7 related to use of inclusion strategies by school districts for
8 provision of special education services.

9 (17) The superintendent, consistent with the new federal IDEA
10 reauthorization, shall continue to educate school districts on how to
11 implement a birth-to-three program and review the cost effectiveness
12 and learning benefits of early intervention.

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

17 (19) \$262,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$251,000 of the general fund--state appropriation for
19 fiscal year 2009 are provided solely for two additional full-time
20 equivalent staff to support the work of the safety net committee and to
21 provide training and support to districts applying for safety net
22 awards.

23 **Sec. 1406.** 2008 c 329 s 508 (uncodified) is amended to read as
24 follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
26 **ASSISTANCE**

27	General Fund--State Appropriation (FY 2008)	\$203,555,000
28	General Fund--State Appropriation (FY 2009)	((\$220,100,000))
29		<u>\$224,514,000</u>
30	TOTAL APPROPRIATION	((\$423,655,000))
31		<u>\$428,069,000</u>

32 **Sec. 1407.** 2008 c 329 s 509 (uncodified) is amended to read as
33 follows:

34 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
35 **EDUCATION PROGRAMS**

36	General Fund--State Appropriation (FY 2008)	\$19,105,000
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1 General Fund--State Appropriation (FY 2009) ((~~\$19,764,000~~))
2 \$21,664,000
3 TOTAL APPROPRIATION ((~~\$38,869,000~~))
4 \$40,769,000

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

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

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

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

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

22 (5) \$187,000 of the general fund--state appropriation for fiscal
23 year 2008 and ((~~\$133,797~~)) \$329,000 of the general fund--state
24 appropriation for fiscal year 2009 are provided solely to maintain at
25 least one certificated instructional staff and related support services
26 at an institution whenever the K-12 enrollment is not sufficient to
27 support one full-time equivalent certificated instructional staff to
28 furnish the educational program. The following types of institutions
29 are included: Residential programs under the department of social and
30 health services for developmentally disabled juveniles, programs for
31 juveniles under the department of corrections, and programs for
32 juveniles under the juvenile rehabilitation administration.

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

35 **Sec. 1408.** 2008 c 329 s 510 (uncodified) is amended to read as
36 follows:

1 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**
2 **CAPABLE STUDENTS**

3	General Fund--State Appropriation (FY 2008)	\$8,383,000
4	General Fund--State Appropriation (FY 2009)	(\$8,788,000)
5		<u>\$8,776,000</u>
6	TOTAL APPROPRIATION	(\$17,171,000)
7		<u>\$17,159,000</u>

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

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

13 (2) Allocations for school district programs for highly capable
14 students shall be distributed at a maximum rate of \$372.15 per funded
15 student for the 2007-08 school year and ~~(\$378.13)~~ \$378.32 per funded
16 student for the 2008-09 school year, exclusive of salary and benefit
17 adjustments pursuant to section 504 of this act. The number of funded
18 students shall be a maximum of 2.314 percent of each district's full-
19 time equivalent basic education enrollment.

20 (3) \$170,000 of the fiscal year 2008 appropriation and \$170,000 of
21 the fiscal year 2009 appropriation are provided for the centrum program
22 at Fort Worden state park.

23 (4) \$90,000 of the fiscal year 2008 appropriation and \$90,000 of
24 the fiscal year 2009 appropriation are provided for the Washington
25 destination imagination network and future problem-solving programs.

26 **Sec. 1409.** 2008 c 329 s 512 (uncodified) is amended to read as
27 follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**
29 **BILINGUAL PROGRAMS**

30	General Fund--State Appropriation (FY 2008)	\$65,595,000
31	General Fund--State Appropriation (FY 2009)	(\$69,560,000)
32		<u>\$68,924,000</u>
33	General Fund--Federal Appropriation	\$45,243,000
34	TOTAL APPROPRIATION	(\$180,398,000)
35		<u>\$179,762,000</u>

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

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

4 (2) The superintendent shall distribute a maximum of \$824.12 per
5 eligible bilingual student in the 2007-08 school year and \$840.64 in
6 the 2008-09 school year, exclusive of salary and benefit adjustments
7 provided in section 504 of this act.

8 (3) The superintendent may withhold up to 1.5 percent of the school
9 year allocations to school districts in subsection (2) of this section,
10 and adjust the per eligible pupil rates in subsection (2) of this
11 section accordingly, solely for the central provision of assessments as
12 provided in RCW 28A.180.090 (1) and (2).

13 (4) \$70,000 of the amounts appropriated in this section are
14 provided solely to track current and former transitional bilingual
15 program students.

16 (5) The general fund--federal appropriation in this section is
17 provided for migrant education under Title I Part C and English
18 language acquisition, and language enhancement grants under Title III
19 of the elementary and secondary education act.

20 (6) Pursuant to RCW 28A.150.260, during the 2007-09 biennium, the
21 office of the superintendent of public instruction shall not make exit
22 of the transitional bilingual program contingent on passing both the
23 Washington language proficiency test and the Washington assessment of
24 student learning without prior legislative approval.

25 **Sec. 1410.** 2009 c 4 s 504 (uncodified) is amended to read as
26 follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
28 **PROGRAMS**

29	General Fund--State Appropriation (FY 2008)	\$66,272,000
30	General Fund--State Appropriation (FY 2009)	(\$84,636,000)
31		<u>\$84,663,000</u>
32	Education Legacy Trust Account--State	
33	Appropriation	\$117,890,000
34	General Fund--Federal Appropriation	(\$152,568,000)
35		<u>\$158,499,000</u>
36	TOTAL APPROPRIATION	(\$421,366,000)
37		<u>\$427,324,000</u>

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

3 (1) \$19,716,000 of the general fund--state appropriation for fiscal
4 year 2008, (~~(\$20,948,000)~~) \$22,096,000 of the general fund--state
5 appropriation for fiscal year 2009, \$1,350,000 of the education legacy
6 trust account--state appropriation, and (~~(\$15,870,000)~~) \$18,236,000 of
7 the general fund--federal appropriation are provided solely for
8 development and implementation of the Washington assessments of student
9 learning (WASL), including: (i) Development and implementation of
10 retake assessments for high school students who are not successful in
11 one or more content areas of the WASL; and (ii) development and
12 implementation of alternative assessments or appeals procedures to
13 implement the certificate of academic achievement. The superintendent
14 of public instruction shall report quarterly on the progress on
15 development and implementation of alternative assessments or appeals
16 procedures. Within these amounts, the superintendent of public
17 instruction shall contract for the early return of 10th grade student
18 WASL results, on or around June 10th of each year. In addition to the
19 amounts provided for the Washington assessments of student learning in
20 this subsection, \$11,372,000 is also included in the appropriations to
21 the office of financial management in this act for an interagency
22 agreement with the office of superintendent of public instruction for
23 the expenditure of those funds based on compliance with certain
24 requirements.

25 (2) \$3,249,000 of the general fund--state appropriation for fiscal
26 year 2009 is provided solely for the implementation of Substitute House
27 Bill No. 3166 (design of the state assessment system and the Washington
28 assessment of student learning), including section 3 of the act
29 providing for end-of-course tests in math. If the bill is not enacted
30 by June 30, 2008, the amount provided in this subsection shall lapse.

31 (3) \$250,000 of the general fund--state appropriation for fiscal
32 year 2008, \$250,000 of the general fund--state appropriation for fiscal
33 year 2009, and \$1,630,000 of the education legacy trust account--state
34 appropriation is provided solely for the development and implementation
35 of diagnostic assessments, subject to the following terms and
36 conditions:

37 (a) A maximum of \$2,540,000 of the funding provided in this
38 subsection shall support the development and implementation of

1 voluntary classroom-based diagnostic assessments and progress
2 monitoring tools for all subject areas included in the WASL by the
3 office of the superintendent of public instruction; and

4 (b) \$2,360,000 of the funding provided in this subsection is for
5 allocations to school districts to purchase assessment tools which
6 supplement the system of diagnostic tests developed by the office of
7 the superintendent of public instruction as described in (a) of this
8 subsection.

9 (4) Within the amounts appropriated in this section, funding is for
10 second grade assessments.

11 (5) \$1,414,000 of the general fund--state appropriation for fiscal
12 year 2008 (~~and~~) is provided solely for (a) the tenth grade
13 mathematics assessment tool that: (i) Presents the mathematics
14 essential learnings in segments for assessment; (ii) is comparable in
15 content and rigor to the tenth grade mathematics WASL when all segments
16 are considered together; (iii) is reliable and valid; and (iv) can be
17 used to determine a student's academic performance level; (b) tenth
18 grade mathematics knowledge and skill learning modules to teach middle
19 and high school students specific skills that have been identified as
20 areas of difficulty for tenth grade students; and (c) making the
21 modules available on-line.

22 (6) \$1,966,000 of the general fund--state appropriation for fiscal
23 year 2009 and \$2,337,000 of the education legacy trust account
24 appropriation are provided solely to develop a system of mathematics
25 and science standards and instructional materials that are
26 internationally competitive and consistent with emerging best practices
27 research. Funding in this subsection shall fund all of the following
28 specific projects:

29 (a) The office of the superintendent of public instruction shall
30 adopt revised state standards in mathematics as directed by Second
31 Substitute House Bill No. 1906 (improving mathematics and science
32 education). Activities include conducting research at the request of
33 the state board of education, engaging one or more national experts in
34 mathematics selected by the board, and convening education
35 practitioners and community members in an advisory capacity regarding
36 revised standards in mathematics.

37 (b) The office of the superintendent of public instruction, in
38 consultation with the state board of education, shall research and

1 identify not more than three basic mathematics curricula as well as
2 diagnostic and supplemental instructional materials for elementary,
3 middle, and high school grade spans that align with the revised
4 mathematics standards.

5 (c) The office of the superintendent of public instruction shall
6 adopt revised state standards in science as directed by Second
7 Substitute House Bill No. 1906 (improving mathematics and science
8 education. Activities include conducting research at the request of
9 the state board of education, engaging one or more national experts in
10 science selected by the board, and convening education practitioners
11 and community members in an advisory capacity regarding revised
12 standards in science.

13 (d) The office of the superintendent of public instruction, in
14 consultation with the state board of education, shall research and
15 identify not more than three basic science curricula as well as
16 diagnostic and supplemental instructional materials for elementary,
17 middle, and high school grade spans that align with the revised science
18 standards.

19 (e) The office of the superintendent of public instruction shall
20 evaluate science textbooks, instructional materials, and diagnostic
21 tools to determine the extent to which they are aligned with the
22 revised science standards. Once the evaluations have been conducted,
23 results will be shared with science teachers, other educators, and
24 community members.

25 (f) Funding is provided for the office of the superintendent of
26 public instruction to develop WASL knowledge and skill learning modules
27 to assist students performing at tenth grade level 1 and level 2 in
28 science.

29 (g) Of the amounts provided in this subsection, \$300,000 is
30 provided solely to the state board of education to increase capacity to
31 implement the provisions of Second Substitute House Bill No. 1906
32 (improving mathematics and science education) and Engrossed Second
33 Substitute Senate Bill No. 6023 (regarding alternative assessments).

34 (7) \$8,950,000 of the education legacy trust account appropriation
35 is for allocations to districts for salaries and benefits for the
36 equivalent of two additional professional development days each school
37 year for fourth and fifth grade teachers. The allocations shall be
38 made based on the calculations of certificated instructional staff

1 units for fourth and fifth grade provided in section 502 of this act
2 and on the calculations of compensation provided in sections 503 and
3 504 of this act. Allocations made pursuant to this subsection are
4 intended to be formula-driven, and the office of the superintendent of
5 public instruction shall provide updated projections of the relevant
6 budget drivers by November 20, 2007, and by November 20, 2008. In the
7 2007-08 school year, the professional development activities funded by
8 this subsection shall be focused on development of mathematics
9 knowledge and instructional skills and on improving instruction in
10 science. In the 2008-09 school year, the additional professional
11 development shall focus on skills related to implementing the new
12 international mathematics and science standards and curriculum.
13 Districts may use the funding to support additional days for
14 professional development as well as job-embedded forms of professional
15 development.

16 (8) \$13,058,000 of the education legacy trust fund appropriation is
17 for allocations to districts for salaries and benefits for the
18 equivalent of three additional professional development days for middle
19 and high school math teachers and the equivalent of three additional
20 professional development days for middle and high school science
21 teachers. The office of the superintendent of public instruction shall
22 develop rules to determine the number of math and science teachers in
23 middle and high schools within each district. Allocations made
24 pursuant to this subsection are intended to be formula-driven, and the
25 office of the superintendent of public instruction shall provide
26 updated projections of the relevant budget drivers by November 20,
27 2007, and by November 20, 2008. Districts may use the funding to
28 support additional days for professional development as well as job-
29 embedded forms of professional development, consistent with the
30 following:

31 (a) For middle school teachers during the 2007-08 school year the
32 additional math professional development funded in this subsection
33 shall focus on development of basic mathematics knowledge and
34 instructional skills and the additional science professional
35 development shall focus on examination of student science assessment
36 data and identification of science knowledge and skill areas in need of
37 additional instructional attention. For middle school teachers during
38 the 2008-09 school year the additional math professional development

1 shall focus on skills related to implementing the new international
2 mathematics standards and the additional science professional
3 development shall focus on skills related to implementing the new
4 international science standards.

5 (b) For high school teachers during the 2007-08 school year the
6 additional math professional development funded in this subsection
7 shall focus on skills related to implementing state math learning
8 modules, the segmented math class/assessment program, the collection of
9 evidence alternative assessment, and basic mathematics knowledge and
10 instructional skills, and the additional science professional
11 development shall focus on skills related to examination of student
12 science assessment data and identification of science knowledge and
13 skill areas in need of additional instructional attention. For high
14 school teachers during the 2008-09 school year the additional math
15 professional development shall focus on skills related to implementing
16 the new international mathematics standards and the additional science
17 professional development shall focus on skills related to implementing
18 the new international science standards.

19 (9) \$17,491,000 of the education legacy trust fund appropriation is
20 for allocations to districts for specialized professional development
21 in math for one math teacher and one science teacher in each middle
22 school and one math teacher and one science teacher in each high
23 school. The allocations shall be based on five additional professional
24 development days per teacher and an additional allocation per teacher
25 of \$1,500 for training costs. In order to generate an allocation under
26 this subsection, a teacher must participate in specialized professional
27 development that leads to the implementation of mathematics and science
28 courses that add new rigor to the math and science course offerings in
29 the school. Allocations made pursuant to this subsection are intended
30 to be formula-driven, and the office of the superintendent of public
31 instruction shall provide updated projections of the relevant budget
32 drivers by November 20, 2007, and by November 20, 2008.

33 (10) \$5,376,000 of the education legacy trust account--state
34 appropriation is provided solely for a math and science instructional
35 coaches program pursuant to Second Substitute House Bill No. 1906
36 (improving mathematics and science education). Funding shall be used
37 to provide grants to schools and districts to provide salaries,
38 benefits, and professional development activities to twenty-five

1 instructional coaches in middle and high school math in the 2007-08 and
2 2008-09 school years and twenty-five instructional coaches in middle
3 and high school science in the 2008-09 school years; and up to \$300,000
4 may be used by the office of the superintendent of public instruction
5 to administer and coordinate the program. Each instructional coach
6 will receive five days of training at a coaching institute prior to
7 being assigned to serve two schools each. These coaches will attend
8 meetings during the year to further their training and assist with
9 coordinating statewide trainings on math and science.

10 (11) \$1,133,000 of the general fund--state appropriation for fiscal
11 year 2008 and \$1,133,000 of the general fund--state appropriation for
12 fiscal year 2009 are provided solely to allow approved middle and
13 junior high school career and technical education programs to receive
14 enhanced vocational funding pursuant to Second Substitute House Bill
15 No. 1906 (improving mathematics and science education). The office of
16 the superintendent of public instruction shall provide allocations to
17 districts for middle and junior high school students in accordance with
18 the funding formulas provided in section 502 of this act. Although the
19 allocations are formula-driven, the office of the superintendent shall
20 consider the funding provided in this subsection as a fixed amount, and
21 shall adjust funding to stay within the amounts provided in this
22 subsection.

23 (12) Within the amounts appropriated in this section, funding is
24 for (a) staff at the office of the superintendent of public instruction
25 to coordinate and promote efforts to develop integrated math, science,
26 technology, and engineering programs in schools and districts across
27 the state; and (b) grants of \$2,500 to provide twenty middle and high
28 school teachers each year professional development training for
29 implementing integrated math, science, technology, and engineering
30 program in their schools.

31 (13) Within the amounts appropriated in this section, funding is
32 for in-service training and educational programs conducted by the
33 Pacific science center and for the Washington state leadership
34 assistance for science education reform (LASER) regional partnership
35 coordinated at the Pacific science center.

36 (14) \$51,701,000 of the education legacy trust account--state
37 appropriation is provided solely for grants for voluntary full-day
38 kindergarten at the highest poverty schools, as provided in Engrossed

1 Second Substitute Senate Bill 5841 (enhancing student learning
2 opportunities and achievement). The office of the superintendent of
3 public instruction shall provide allocations to districts for recipient
4 schools in accordance with the funding formulas provided in section 502
5 of this act. Each kindergarten student who enrolls for the voluntary
6 full-day program in a recipient school shall count as one-half of one
7 full-time equivalent student for the purpose of making allocations
8 under this subsection. Although the allocations are formula-driven,
9 the office of the superintendent shall consider the funding provided in
10 this subsection as a fixed amount, and shall limit the number of
11 recipient schools so as to stay within the amounts appropriated each
12 fiscal year in this subsection. The funding provided in this
13 subsection is estimated to provide full-day kindergarten programs for
14 10 percent of kindergarten enrollment in the 2007-08 school year and 20
15 percent of kindergarten enrollment in the 2008-09 school year. Funding
16 priority shall be given to schools with the highest poverty levels, as
17 measured by prior year free and reduced priced lunch eligibility rates
18 in each school. Additionally, as a condition of funding, school
19 districts must agree to provide the full-day program to the children of
20 parents who request it in each eligible school. For the purposes of
21 calculating a school district levy base, funding provided in this
22 subsection shall be considered a state block grant program under RCW
23 84.52.0531.

24 (a) Of the amounts provided in this subsection, a maximum of
25 \$272,000 may be used for administrative support of the full-day
26 kindergarten program within the office of the superintendent of public
27 instruction.

28 (b) Student enrollment pursuant to this program shall not be
29 included in the determination of a school district's overall K-12 FTE
30 for the allocation of student achievement programs and other funding
31 formulas unless specifically stated.

32 (15) Within the amounts appropriated in this section, funding is
33 for support of a full-day kindergarten "lighthouse" resource program at
34 the Bremerton school district, as provided in Engrossed Second Senate
35 Bill No. 5841 (enhancing student learning opportunities and
36 achievement). The purpose of the program is to provide technical
37 assistance to districts in the initial stages of implementing a high
38 quality full-day kindergarten program.

1 (16) Within the amounts appropriated in this section, funding is
2 for grants for three demonstration projects for kindergarten through
3 grade three. The purpose of the grants is to implement best practices
4 in developmental learning in kindergarten through third grade pursuant
5 to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student
6 learning opportunities and achievement).

7 (17) \$300,000 of the general fund--state appropriation for fiscal
8 year 2008 and \$1,000,000 of the general fund--state appropriation for
9 fiscal year 2009 are provided solely for the development of a
10 leadership academy for school principals and administrators. The
11 superintendent of public instruction shall contract with an independent
12 organization to design, field test, and implement a state-of-the-art
13 education leadership academy that will be accessible throughout the
14 state. Initial development of the content of the academy activities
15 shall be supported by private funds. Semiannually the independent
16 organization shall report on amounts committed by foundations and
17 others to support the development and implementation of this program.
18 Leadership academy partners, with varying roles, shall include the
19 state level organizations for school administrators and principals, the
20 superintendent of public instruction, the professional educator
21 standards board, and others as the independent organization shall
22 identify.

23 (18) Within the amounts appropriated in this section, funding is
24 for grants to school districts to implement emerging best practices
25 activities in support of classroom teachers' instruction of students,
26 with a first language other than English, who struggle with acquiring
27 academic English skills, as outlined in Engrossed Second Substitute
28 Senate Bill No. 5841 (enhancing student learning opportunities and
29 achievement). Best practices shall focus on professional development
30 for classroom teachers and support of instruction for English language
31 learners in regular classrooms. School districts qualifying for these
32 grants shall serve a student population that reflects many different
33 first languages among their students. The Northwest educational
34 research laboratory (NWREL) shall evaluate the effectiveness of the
35 practices supported by the grants as provided in section 501 of this
36 act. Recipients of these grants shall cooperate with NWREL in the
37 collection of program data.

1 (19) Within the amounts appropriated in this section, funding is
2 for training of paraprofessional classroom assistants and certificated
3 staff who work with classroom assistants as provided in RCW
4 28A.415.310.

5 (20) Within the amounts appropriated in this section, funding is
6 provided for mentor teacher assistance, including state support
7 activities, under RCW 28A.415.250 and 28A.415.260, and for a mentor
8 academy. Up to \$200,000 of the amount in this subsection may be used
9 each fiscal year to operate a mentor academy to help districts provide
10 effective training for peer mentors. Funds for the teacher assistance
11 program shall be allocated to school districts based on the number of
12 first year beginning teachers.

13 (21) Within the amounts appropriated in this section, funding is
14 for the leadership internship program for superintendents, principals,
15 and program administrators.

16 (22) \$105,765,000 of the general fund--federal appropriation is
17 provided for preparing, training, and recruiting high quality teachers
18 and principals under Title II of the no child left behind act.

19 (23) Within the amounts appropriated in this section, funding is
20 for a principal support program. The office of the superintendent of
21 public instruction may contract with an independent organization to
22 administer the program. The program shall include: (a) Development of
23 an individualized professional growth plan for a new principal or
24 principal candidate; and (b) participation of a mentor principal who
25 works over a period of between one and three years with the new
26 principal or principal candidate to help him or her build the skills
27 identified as critical to the success of the professional growth plan.
28 Within the amounts provided, \$25,000 per year shall be used to support
29 additional participation of secondary principals.

30 (24) Within the amounts appropriated in this section, funding is
31 for the office of the superintendent of public instruction for focused
32 assistance. The office of the superintendent of public instruction
33 shall conduct educational audits of low-performing schools and enter
34 into performance agreements between school districts and the office to
35 implement the recommendations of the audit and the community. Each
36 educational audit shall include recommendations for best practices and
37 ways to address identified needs and shall be presented to the

1 community in a public meeting to seek input on ways to implement the
2 audit and its recommendations.

3 (25) Within the amounts appropriated in this section, funding is
4 for a high school and school district improvement program modeled after
5 the office of the superintendent of public instruction's existing
6 focused assistance program in subsection (25)(b) of this section. The
7 state funding for this improvement program will match an equal amount
8 committed by a nonprofit foundation in furtherance of a jointly funded
9 program.

10 (26) Within the amounts appropriated in this section, funding is
11 for summer accountability institutes offered by the superintendent of
12 public instruction. The institutes shall provide school district staff
13 with training in the analysis of student assessment data, information
14 regarding successful district and school teaching models, research on
15 curriculum and instruction, and planning tools for districts to improve
16 instruction in reading, mathematics, language arts, social studies,
17 including civics, and guidance and counseling. The superintendent of
18 public instruction shall offer at least one institute specifically for
19 improving instruction in mathematics in fiscal years 2008 and 2009 and
20 at least one institute specifically for improving instruction in
21 science in fiscal year 2009.

22 (27) Within the amounts appropriated in this section, funding is
23 for the evaluation of mathematics textbooks, other instructional
24 materials, and diagnostic tools to determine the extent to which they
25 are aligned with the state standards. Once the evaluations have been
26 conducted, results will be shared with math teachers, other educators,
27 and community members for the purposes of validating the conclusions
28 and then selecting up to three curricula, supporting materials, and
29 diagnostic instruments as those best able to assist students to learn
30 and teachers to teach the content of international standards. In
31 addition, the office of the superintendent shall continue to provide
32 support and information on essential components of comprehensive,
33 school-based reading programs.

34 (28) Within the amounts appropriated in this section, funding is
35 for the mathematics helping corps subject to the following conditions
36 and limitations:

37 (a) In order to increase the availability and quality of technical
38 mathematics assistance statewide, the superintendent of public

1 instruction shall employ mathematics school improvement specialists to
2 provide assistance to schools and districts. The specialists shall be
3 hired by and work under the direction of a statewide school improvement
4 coordinator. The mathematics improvement specialists shall not be
5 permanent employees of the superintendent of public instruction.

6 (b) The school improvement specialists shall provide the following:

7 (i) Assistance to schools to disaggregate student performance data
8 and develop improvement plans based on those data;

9 (ii) Consultation with schools and districts concerning their
10 performance on the Washington assessment of student learning and other
11 assessments emphasizing the performance on the mathematics assessments;

12 (iii) Consultation concerning curricula that aligns with the
13 essential academic learning requirements emphasizing the academic
14 learning requirements for mathematics, the Washington assessment of
15 student learning, and meets the needs of diverse learners;

16 (iv) Assistance in the identification and implementation of
17 research-based instructional practices in mathematics;

18 (v) Staff training that emphasizes effective instructional
19 strategies and classroom-based assessment for mathematics;

20 (vi) Assistance in developing and implementing family and community
21 involvement programs emphasizing mathematics; and

22 (vii) Other assistance to schools and school districts intended to
23 improve student mathematics learning.

24 (29) Within the amounts appropriated in this section, funding is
25 for the improvement of reading achievement and implementation of
26 research-based reading models. The superintendent shall evaluate
27 reading curriculum programs and other instructional materials to
28 determine the extent to which they are aligned with state standards.
29 A report of the analyses shall be made available to school districts.
30 The superintendent shall report to districts the assessments that are
31 available to screen and diagnose reading difficulties, and shall
32 provide training on how to implement a reading assessment system.
33 Resources may also be used to disseminate grade level expectations and
34 develop professional development modules and web-based materials.

35 (30) \$30,706,000 of the general fund--federal appropriation is
36 provided for the reading first program under Title I of the no child
37 left behind act.

1 (31) \$500,000 of the general fund--state appropriation for fiscal
2 year 2008 is provided solely for the office of the superintendent of
3 public instruction to award five grants to parent, community, and
4 school district partnership programs that will meet the unique needs of
5 different groups of students in closing the achievement gap. The
6 legislature intends that the pilot programs will help students meet
7 state learning standards, achieve the skills and knowledge necessary
8 for college or the workplace, reduce the achievement gap, prevent
9 dropouts, and improve graduation rates.

10 (a) The pilot programs shall be designed in such a way as to be
11 supplemental to educational services provided in the district and shall
12 utilize a community partnership based approach to helping students and
13 their parents.

14 (b) The grant recipients shall work in collaboration with the
15 office of the superintendent of public instruction to develop
16 measurable goals and evaluation methodologies for the pilot programs.
17 \$25,000 of this appropriation may be used by the office of the
18 superintendent of public instruction to hold a statewide meeting to
19 disseminate successful strategies developed by the grantees.

20 (c) The office of the superintendent of public instruction shall
21 issue a report to the legislature in the 2009 session on the progress
22 of each of the pilot programs.

23 (32) Within the amounts appropriated in this section, funding is
24 for the office of the superintendent of public instruction to support
25 and award Washington community learning center program grants pursuant
26 to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student
27 learning opportunities and achievement). If the bill is not enacted by
28 June 30, 2007, the amounts provided in this subsection shall lapse.

29 (33) Within the amounts appropriated in this section, funding is
30 for the elimination of the lunch co-pay for students in grades
31 kindergarten through third grade that are eligible for reduced price
32 lunch.

33 (34) Within the amounts appropriated in this section, funding is
34 for the development of mathematics support activities provided by
35 community organizations in after school programs. Pursuant to Second
36 Substitute House Bill No. 1906 (improving mathematics and science
37 education), the office of the superintendent of public instruction

1 shall administer grants to community organizations that partner with
2 school districts to provide these activities and develop a mechanism to
3 report program and student success.

4 (35) Within the amounts appropriated in this section, funding is
5 for: (a) The meals for kids program under RCW 28A.235.145 through
6 28A.235.155; (b) to eliminate the breakfast co-pay for students
7 eligible for reduced price lunch; and (c) for additional assistance for
8 school districts initiating a summer food service program.

9 (36) Within the amounts appropriated in this section, funding is
10 for the Washington reading corps. The superintendent shall allocate
11 reading corps members to low-performing schools and school districts
12 that are implementing comprehensive, proven, research-based reading
13 programs. Two or more schools may combine their Washington reading
14 corps programs. Grants provided under this section may be used by
15 school districts for expenditures from September 2007 through August
16 31, 2009.

17 (37) Within the amounts appropriated in this section, funding is
18 for grants to school districts to provide a continuum of care for
19 children and families to help children become ready to learn. Grant
20 proposals from school districts shall contain local plans designed
21 collaboratively with community service providers. If a continuum of
22 care program exists in the area in which the school district is
23 located, the local plan shall provide for coordination with existing
24 programs to the greatest extent possible. Grant funds shall be
25 allocated pursuant to RCW 70.190.040.

26 (38) Within the amounts appropriated in this section, funding is
27 for improving technology infrastructure, monitoring and reporting on
28 school district technology development, promoting standards for school
29 district technology, promoting statewide coordination and planning for
30 technology development, and providing regional educational technology
31 support centers, including state support activities, under chapter
32 28A.650 RCW. The superintendent of public instruction shall coordinate
33 a process to facilitate the evaluation and provision of online
34 curriculum courses to school districts which includes the following:
35 Creation of a general listing of the types of available online
36 curriculum courses; a survey conducted by each regional educational
37 technology support center of school districts in its region regarding
38 the types of online curriculum courses desired by school districts; a

1 process to evaluate and recommend to school districts the best online
2 courses in terms of curriculum, student performance, and cost; and
3 assistance to school districts in procuring and providing the courses
4 to students.

5 (39) Within the amounts appropriated in this section, funding is
6 for the development and posting of web-based instructional tools,
7 assessment data, and other information that assists schools and
8 teachers implementing higher academic standards.

9 (40) Within the amounts appropriated in this section, funding is
10 for the operation of the center for the improvement of student learning
11 pursuant to RCW 28A.300.130.

12 (41) Within the amounts appropriated in this section, funding is
13 for one-time allocations for technology upgrades and improvements. The
14 funding shall be allocated based on \$3,000 for each elementary school,
15 \$6,000 for each middle or junior high school, and \$11,000 for each high
16 school. In cases where a particular school's grade span or
17 configuration does not fall into these categories, the office of
18 superintendent of public instruction will develop an allocation to that
19 school that recognizes the unique characteristics but maintains the
20 proportionate allocation identified in this subsection.

21 (42) Within the amounts appropriated in this section, funding is
22 for costs associated with office of the superintendent of public
23 instruction establishing a statewide director of technology position
24 pursuant to Second Substitute House Bill No. 1906 (improving
25 mathematics and science education).

26 (43)(a) Within the amounts appropriated in this section, funding is
27 for the following bonuses for teachers who hold valid, unexpired
28 certification from the national board for professional teaching
29 standards and who are teaching in a Washington public school, subject
30 to the following conditions and limitations:

31 (i) For national board certified teachers, a bonus of \$5,000 per
32 teacher in fiscal year 2008 and adjusted for inflation in fiscal year
33 2009. Beginning in the 2007-2008 school year and thereafter, national
34 board certified teachers who become public school principals shall
35 continue to receive this bonus for as long as they are principals and
36 maintain the national board certification;

37 (ii) During the 2007-2008 school year, for national board certified
38 teachers who teach in schools where at least 70 percent of student

1 headcount enrollment is eligible for the federal free or reduced price
2 lunch program, an additional \$5,000 annual bonus to be paid in one lump
3 sum. Beginning in the 2008-2009 school year and thereafter, an
4 additional \$5,000 annual bonus shall be paid to national board
5 certified teachers who teach in either: (A) High schools where at
6 least 50 percent of student headcount enrollment is eligible for
7 federal free or reduced price lunch, (B) middle schools where at least
8 60 percent of student headcount enrollment is eligible for federal free
9 or reduced price lunch, or (C) elementary schools where at least 70
10 percent of student headcount enrollment is eligible for federal free or
11 reduced price lunch; and

12 (iii) The superintendent of public instruction shall adopt rules to
13 ensure that national board certified teachers meet the qualifications
14 for bonuses under (a)(ii) of this subsection for less than one full
15 school year receive bonuses in a pro-rated manner.

16 (b) Included in the amounts provided in this subsection are amounts
17 for mandatory fringe benefits. Unless Senate Bill No. 6657 (salary
18 bonuses for individuals certified by the national board for
19 professional teaching standards) is enacted by June 30, 2008, the
20 annual bonus shall not be included in the definition of "earnable
21 compensation" under RCW 41.32.010(10).

22 (c) For purposes of this subsection, "the percent of the student
23 headcount enrollment eligible for the federal free or reduced price
24 lunch program" shall be defined as: (i) For the 2007-08 and the 2008-
25 09 school years, schools in which the prior year percentage of students
26 eligible for the federal free and reduced price lunch program meets the
27 criteria specified in subsection (41)(a)(ii) of this section; and (ii)
28 in the 2008-09 school year, any school that met the criterion in (c)(i)
29 of this subsection in the 2007-08 school year.

30 (d) Within the amounts appropriated in this subsection, the office
31 of superintendent of public instruction shall revise rules to allow
32 teachers who hold valid, unexpired certification from the national
33 board for professional teaching standards and who are teaching at the
34 Washington school for the deaf or Washington school for the blind, to
35 receive the annual bonus amounts specified in this subsection if they
36 are otherwise eligible.

37 (44) Within the amounts appropriated in this section, funding is

1 for the implementation of Second Substitute Senate Bill No. 6377
2 (career and technical education).

3 (45) \$3,900,000 of the general fund--state appropriation for fiscal
4 year 2009 is provided solely for an allocation of four dollars and nine
5 cents per full-time equivalent student, or as much as the funding in
6 this subsection will allow, to maintain and improve library materials,
7 collections, and services. The funding provided in this subsection
8 shall be used to augment current funding for librarian programs
9 provided through basic education and other existing funding mechanisms.
10 In order to receive allocations under this section, school districts
11 must agree that to the maximum extent possible they will ensure that
12 library programs and services are equitably provided throughout the
13 district.

14 (46) Within the amounts appropriated in this section, funding is
15 for the implementation of Second Substitute Senate Bill No. 6483 (local
16 farms-healthy kids and communities).

17 (47) Within the amounts appropriated in this section, funding is
18 for the implementation of Engrossed Second Substitute Senate Bill No.
19 6673 (student learning opportunities) which requires the office of the
20 superintendent of public instruction to explore online curriculum
21 support in languages other than English.

22 (48) Within the amounts appropriated in this section, funding is
23 for grants to five skills centers to develop and plan for
24 implementation of integrated English language development/career skills
25 programs that pair English language development teachers with
26 career/technical education instructors in the classroom. The office of
27 the superintendent of public instruction and skill center staff shall
28 work with the state board for community and technical colleges I-BEST
29 program staff and local community and technical college program staff
30 to develop the program to assure critical program elements are included
31 and that the skill center programs provide a seamless transition for
32 high school students to the community and technical college programs
33 for students choosing that pathway. The request for proposal or grant
34 application shall be issued no later than May 1, 2008, so that grant
35 recipients can begin program planning and development efforts on July
36 1, 2008. The superintendent of public instruction shall provide the
37 resulting implementation plans to the governor and the appropriate
38 committees of the legislature by November 1, 2008.

1 (49) Within the amounts appropriated in this section, funding is
2 for support of public high schools' participation in the FIRST robotics
3 program. The office of the superintendent of public instruction shall
4 issue grants not to exceed \$10,000 per school to be used for teacher
5 stipends, registration fees, equipment, and other costs associated with
6 direct participation in the program. High-poverty schools and schools
7 starting up robotics programs shall be given priority in funding.

8 (50) In addition to other reductions, the reduced appropriations in
9 this section reflect an additional (~~(\$499,000)~~) \$602,000 reduction in
10 administrative costs required by Engrossed Substitute Senate Bill No.
11 5460 (reducing state government administrative costs). These
12 administrative reductions shall be achieved, to the greatest extent
13 possible, by reducing those administrative costs that do not affect
14 direct client services or direct service delivery or programs.

15 **Sec. 1411.** 2009 c 4 s 505 (uncodified) is amended to read as
16 follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
18 **ASSISTANCE PROGRAM**

19	General Fund--State Appropriation (FY 2008)	\$68,381,000
20	General Fund--State Appropriation (FY 2009)	((\$84,654,000))
21		<u>\$86,268,000</u>
22	General Fund--Federal Appropriation	\$360,660,000
23	Education Legacy Trust Account--State	
24	Appropriation	\$45,953,000
25	TOTAL APPROPRIATION	((\$559,648,000))
26		<u>\$561,262,000</u>

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

29 (1) The general fund--state appropriations in this section are
30 subject to the following conditions and limitations:

31 (a) The appropriations include such funds as are necessary to
32 complete the school year ending in the fiscal year and for prior fiscal
33 year adjustments.

34 (b) Funding for school district learning assistance programs shall
35 be allocated at maximum rates of \$220.34 per funded student for the
36 2007-08 school year and \$265.08 per funded student for the 2008-09

1 school year exclusive of salary and benefit adjustments provided under
2 section 504 of this act.

3 (c) A school district's funded students for the learning assistance
4 program shall be the sum of the following as appropriate:

5 (i) The district's full-time equivalent enrollment in grades K-12
6 for the prior school year multiplied by the district's percentage of
7 October headcount enrollment in grades K-12 eligible for free or
8 reduced price lunch in the prior school year; and

9 (ii) If, in the prior school year, the district's percentage of
10 October headcount enrollment in grades K-12 eligible for free or
11 reduced price lunch exceeded forty percent, subtract forty percent from
12 the district's percentage and multiply the result by the district's K-
13 12 annual average full-time equivalent enrollment for the prior school
14 year.

15 (d) In addition to amounts allocated in (b) and (c) of this
16 subsection, an additional amount shall be allocated to a school
17 district for each school year in which the district's allocation is
18 less than the amount the district received for the general fund--state
19 learning assistance program allocation in the 2004-05 school year. The
20 amount of the allocation in this section shall be sufficient to
21 maintain the 2004-05 school year allocation.

22 (e) If Second Substitute Senate Bill No. 6673 (student learning
23 opportunities) is enacted by June 30, 2008, in addition to the amounts
24 allocated in (b), (c), and (d) of this subsection, an additional amount
25 shall be allocated to school districts with high concentrations of
26 poverty and English language learner students beginning in the 2008-
27 2009 school year, subject to the following rules and conditions:

28 (i) To qualify for additional funding under this subsection, a
29 district's October headcount enrollment in grades kindergarten through
30 grade twelve must have at least twenty percent enrolled in the
31 transitional bilingual instruction program based on an average of the
32 program headcount taken in October and May of the prior school year;
33 and must also have at least forty percent eligible for free or reduced
34 price lunch based on October headcount enrollment in grades
35 kindergarten through twelve in the prior school year.

36 (ii) Districts meeting the specifications in (e)(i) of this
37 subsection shall receive additional funded students for the learning
38 assistance program at the rates specified in subsection (1)(b) of this

1 section. The number of additional funded student units shall be
2 calculated by subtracting twenty percent from the district's percent
3 transitional bilingual instruction program enrollment as defined in
4 (e)(i) of this subsection, and the resulting percent shall be
5 multiplied by the district's kindergarten through twelve annual average
6 full-time equivalent enrollment for the prior school year.

7 (2) The general fund--federal appropriation in this section is
8 provided for Title I Part A allocations of the no child left behind act
9 of 2001.

10 (3) Small school districts are encouraged to make the most
11 efficient use of the funding provided by using regional educational
12 service district cooperatives to hire staff, provide professional
13 development activities, and implement reading and mathematics programs
14 consistent with research-based guidelines provided by the office of the
15 superintendent of public instruction.

16 (4) A school district may carry over from one year to the next up
17 to 10 percent of the general fund--state or education legacy trust
18 funds allocated under this program; however, carryover funds shall be
19 expended for the learning assistance program.

20 (5) School districts are encouraged to coordinate the use of these
21 funds with other federal, state, and local sources to serve students
22 who are below grade level and to make efficient use of resources in
23 meeting the needs of students with the greatest academic deficits.

24 (6) Within the amounts appropriated in this section, funding is for
25 the implementation of Engrossed Second Substitute Senate Bill No. 6673
26 (student learning opportunities) which establishes the extended
27 learning program to provide additional instructional services for
28 eligible students in grades eight, eleven, and twelve during the
29 regular school day, evenings, on weekends, or at other times in order
30 to meet the needs of these students. This funding is in addition to
31 the estimated \$986,000 of associated compensation increases associated
32 with this legislation in section 504 of this act.

33 **Sec. 1412.** 2009 c 4 s 506 (uncodified) is amended to read as
34 follows:

35 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**
36 **PROGRAM**

37 Student Achievement Account--State Appropriation

1	(FY 2008)	\$423,369,000
2	Student Achievement Account--State Appropriation	
3	(FY 2009)	(\$436,910,000)
4		<u>\$74,910,000</u>
5	<u>General Fund--Federal Appropriation</u>	<u>\$362,000,000</u>
6	TOTAL APPROPRIATION	\$860,279,000

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

9 (1) Funding for school district student achievement programs shall
10 be allocated at a maximum rate of \$450.00 per FTE student for the 2007-
11 08 school year and \$458.10 per FTE student for the 2008-09 school year.
12 For the purposes of this section, FTE student refers to the annual
13 average full-time equivalent enrollment of the school district in
14 grades kindergarten through twelve for the prior school year, as
15 reported to the office of the superintendent of public instruction by
16 August 31st of the previous school year.

17 (2) The appropriation is allocated for the following uses as
18 specified in RCW 28A.505.210:

19 (a) To reduce class size by hiring certificated elementary
20 classroom teachers in grades K-4 and paying nonemployee-related costs
21 associated with those new teachers;

22 (b) To make selected reductions in class size in grades 5-12, such
23 as small high school writing classes;

24 (c) To provide extended learning opportunities to improve student
25 academic achievement in grades K-12, including, but not limited to,
26 extended school year, extended school day, before-and-after-school
27 programs, special tutoring programs, weekend school programs, summer
28 school, and all-day kindergarten;

29 (d) To provide additional professional development for educators
30 including additional paid time for curriculum and lesson redesign and
31 alignment, training to ensure that instruction is aligned with state
32 standards and student needs, reimbursement for higher education costs
33 related to enhancing teaching skills and knowledge, and mentoring
34 programs to match teachers with skilled, master teachers. The funding
35 shall not be used for salary increases or additional compensation for
36 existing teaching duties, but may be used for extended year and
37 extended day teaching contracts;

1 (e) To provide early assistance for children who need
2 prekindergarten support in order to be successful in school; or

3 (f) To provide improvements or additions to school building
4 facilities which are directly related to the class size reductions and
5 extended learning opportunities under (a) through (c) of this
6 subsection (2).

7 (3) The superintendent of public instruction shall distribute the
8 school year allocation according to the monthly schedule defined in RCW
9 28A.505.220.

10 **Sec. 1413.** 2008 c 329 s 516 (uncodified) is amended to read as
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** (1) Appropriations
13 made in this act to the office of superintendent of public instruction
14 shall initially be allotted as required by this act. Subsequent
15 allotment modifications shall not include transfers of moneys between
16 sections of this act, except as expressly provided in subsection (2) of
17 this section.

18 (2) The appropriations to the office of the superintendent of
19 public instruction in this act shall be expended for the programs and
20 amounts specified in this act. However, after May 1, (~~2008~~) 2009,
21 unless specifically prohibited by this act and after approval by the
22 director of financial management, the superintendent of public
23 instruction may transfer state general fund appropriations for fiscal
24 year (~~2008~~) 2009 among the following programs to meet the
25 apportionment schedule for a specified formula in another of these
26 programs: General apportionment; employee compensation adjustments;
27 pupil transportation; special education programs; institutional
28 education programs; transitional bilingual programs; and learning
29 assistance programs.

30 (3) The director of financial management shall notify the
31 appropriate legislative fiscal committees in writing prior to approving
32 any allotment modifications or transfers under this section.

(End of part)

PART XV
HIGHER EDUCATION

Sec. 1501. 2009 c 4 s 603 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2008)	\$373,726,000
General Fund--State Appropriation (FY 2009)	\$358,727,000
General Fund--Private/Local Appropriation	(\$300,000)
	<u>\$350,000</u>
Education Legacy Trust Account--State	
Appropriation	\$43,181,000
Accident Account--State Appropriation	\$6,513,000
Medical Aid Account--State Appropriation	\$6,371,000
TOTAL APPROPRIATION	(\$788,818,000)
	<u>\$788,868,000</u>

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

(1) \$15,744,000 of the education legacy trust account--state appropriation is to expand general enrollments by 625 student FTEs in fiscal year 2008 and by an additional 625 student FTEs in fiscal year 2009. Of these, 165 FTEs in 2008 and 165 FTEs in 2009 are expected to be graduate student FTEs.

(2) \$6,975,000 of the education legacy trust account--state appropriation is to expand math and science undergraduate enrollments by 250 student FTEs in each fiscal year. The programs expanded shall include mathematics, engineering, and the physical sciences. The university shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in math and science programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$85,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for operating support of the
2 Washington state academy of sciences, authorized by chapter 70.220 RCW.

3 (4) \$100,000 of the general fund--state appropriation for fiscal
4 year 2008 and \$100,000 of the general fund--state appropriation for
5 fiscal year 2009 are provided solely for operating support of the
6 William D. Ruckelshaus center.

7 (5) \$500,000 of the education legacy trust account--state
8 appropriation is provided solely to expand the number of TRIO eligible
9 students served in the student support services program at the
10 University of Washington by 250 students each year. TRIO students
11 include low-income, first-generation, and college students with
12 disabilities. The student support services program shall report
13 annually to the office of financial management and the appropriate
14 policy and fiscal committees of the legislature on the retention and
15 completion rates of students served through this appropriation.
16 Retention rates shall continue to exceed 85 percent for TRIO students
17 in this program.

18 (6) \$84,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$84,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely to establish the state
21 climatologist position.

22 (7) \$25,000 of the general fund--state appropriation for fiscal
23 year 2008 and \$125,000 of the general fund--state appropriation for
24 fiscal year 2009 are provided solely for the William D. Ruckelshaus
25 center to identify and carry out, or otherwise appropriately support,
26 a process to identify issues that have led to conflict around land use
27 requirements and property rights, and explore practical and effective
28 ways to resolve or reduce that conflict. A report with conclusions and
29 recommendations shall be submitted to the governor and the chairs of
30 the appropriate committees of the legislature by October 31, 2007.
31 Work will continue after the submission of the initial report, to
32 include continuing research and the development of financial and policy
33 options and a progress report on fact finding efforts and stakeholder
34 positions due December 1, 2008.

35 (8) \$3,830,000 of the education legacy trust account--state
36 appropriation is provided solely to expand health sciences capacity at
37 the University of Washington. Consistent with the medical and dental
38 school extension program appropriations at Washington State University

1 and Eastern Washington University, funding is provided to expand
2 classes at the University of Washington. Medical and dental students
3 shall take the first year of courses for this program at the Riverpoint
4 campus in Spokane and the second year of courses at the University of
5 Washington in Seattle.

6 (9) The higher education coordinating board, the office of
7 financial management, and the higher education institutions negotiated
8 a set of performance measures, checkpoints, and targets in 2006. By
9 July 31, 2007, the university and the board shall review and revise
10 these targets based on per-student funding in the 2007-09
11 appropriations act. In addition, the board shall compile comparable
12 data from peer institutions in the eight global challenge states
13 identified in the Washington Learns study.

14 The checkpoints previously agreed by the board and the University
15 of Washington are enumerated as follows:

16 (a) Increase the combined number of baccalaureate degrees conferred
17 per year at all campuses to 8,850;

18 (b) Increase the combined number of high-demand baccalaureate
19 degrees conferred at all campuses per year to 1,380;

20 (c) Increase the combined number of advanced degrees conferred per
21 year at all campuses to 3,610;

22 (d) Improve the six-year graduation rate for baccalaureate students
23 to 74.7 percent;

24 (e) Improve the three-year graduation rate for students who
25 transfer with an associates degree to 76.0 percent;

26 (f) Improve the freshman retention rate to 93.0 percent;

27 (g) Improve time to degree for baccalaureate students to 92 percent
28 at the Seattle campus and 92.5 percent at the Bothell and Tacoma
29 campuses, measured by the percent of admitted students who graduate
30 within 125 percent of the credits required for a degree; and

31 (h) The institution shall provide a report on Pell grant
32 recipients' performance within each of the measures included in this
33 subsection.

34 The University of Washington shall report its progress and ongoing
35 efforts toward meeting the provisions of this section to the higher
36 education coordinating board prior to November 1, 2009.

37 (10) \$750,000 of the education legacy trust account appropriation
38 is provided solely to increase participation in international learning

1 opportunities, particularly for students with lower incomes who would
2 otherwise not have the chance to study, work, or volunteer outside the
3 United States.

4 (11) \$75,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$75,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for forestry research by the
7 Olympic natural resources center.

8 (12) \$25,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$25,000 of the general fund--state appropriation for
10 fiscal year 2009 are provided solely for coastal marine research by the
11 Olympic natural resources center.

12 (13) \$95,000 of the general fund--state appropriation for fiscal
13 year 2008 and \$30,000 of the general fund--state appropriation for
14 fiscal year 2009 are provided solely for increased education, training,
15 and support services for the families of children with autism, and for
16 the production and distribution of digital video discs in both English
17 and Spanish about strategies for working with people with autism.

18 (14) \$2,900,000 of the general fund--state appropriation for fiscal
19 year 2008 and \$3,400,000 of the general fund--state appropriation for
20 fiscal year 2009 are provided solely for operating support for the
21 department of global health.

22 (15) In an effort to introduce students to and inform students of
23 post-secondary opportunities in Washington state, by October 1st of
24 each year the university shall report to the higher education
25 coordinating board progress towards developing and implementing
26 outreach programs designed to increase awareness of higher education to
27 K-12 populations.

28 (16) \$150,000 of the general fund--state appropriation for fiscal
29 year 2008 is provided solely for the rural technology initiative
30 (initiative) at the University of Washington and the transportation
31 research group (group) at the Washington State University to conduct an
32 economic analysis of the costs to safely provide log hauling services.
33 The initiative will be the lead investigator and administer the
34 project. Neither the University of Washington nor the Washington State
35 University may make a deduction for administrative costs. The project
36 shall rely upon the Washington state patrol for determination of basic
37 safe characteristics, consistent with applicable state and federal law.
38 The analysis shall include:

1 (a) An estimate of log haulers' cost to operate and maintain a
2 basic and safe log truck without operator including:

3 (i) Variable costs such as fuel, etc;

4 (ii) Quasi-variable costs such as:

5 (A) Tires, brakes, wrappers, and other safety related equipment;

6 (B) Vehicle insurance, taxes, fees, etc;

7 (C) Maintenance costs such as oil, lubrication, and minor repairs;

8 and

9 (D) Depreciation and replacement costs;

10 (b) The source of these cost estimates where possible should be
11 independent vendors of equipment and services or already existing
12 studies;

13 (c) A calculation of costs for safe operation expressed as per
14 mile, hour or load volume including consideration for regional
15 differences as well as off-road vs. on-road;

16 (d) An evaluation of comparable trucking services; and

17 (e) A review of log truck safety statistics in Washington state.

18 In conducting the analysis, the initiative shall consult with the
19 northwest log truckers cooperative, the Washington trucking
20 association, the Washington contract loggers association, the
21 Washington farm forestry association, and the Washington forest
22 protection association. By June 30, 2008, the initiative shall provide
23 a report of its findings to the legislature and governor and distribute
24 the findings to interested industry groups.

25 (17) \$500,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$500,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely to the Burke museum to support
28 science and social science educational programs including public
29 outreach programs, new educational programs and resources, web-based
30 interactive learning experiences, teacher training, and traveling
31 educational opportunities.

32 (18) \$150,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$300,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely to the institute for learning and
35 brain sciences.

36 (19) \$30,000 of the general fund--state appropriation for fiscal
37 year 2008 and \$30,000 of the general fund--state appropriation for
38 fiscal year 2009 are provided solely for the University of Washington

1 to gather data and conduct research associated with preparing the
2 basin-wide assessment and to solicit nominations for review and
3 submittal to the Washington academy of sciences for the creation of the
4 Puget Sound science panel pursuant to Engrossed Second Substitute
5 Senate Bill No. 5372 (Puget Sound partnership).

6 (20)(a) \$500,000 of the general fund--state appropriation for
7 fiscal year 2008 is provided solely for the University of Washington
8 school of law loan repayment assistance program endowment fund. The
9 University of Washington shall conduct fund-raising activities to
10 increase private sector support of the endowment program and \$250,000
11 of the appropriation in this subsection is contingent on a private
12 sector match. Funds in the law school repayment assistance program
13 endowment fund shall be used to provide graduates who pursue careers in
14 public interest legal positions with payment assistance toward their
15 student loan debt.

16 (b) The University of Washington law school shall report to the
17 legislature by December 1, 2010, information about the loan repayment
18 assistance program. The report shall contain at least the following
19 information:

- 20 (i) A financial summary of the endowment program;
- 21 (ii) The number of individuals receiving assistance from the
22 program and information related to the positions in which these
23 individuals are working;
- 24 (iii) Any available information regarding the effect of the loan
25 repayment assistance program on student recruitment and enrollment; and
- 26 (iv) Other information the school of law deems relevant to the
27 evaluation of the program.

28 (c) In its rules for administering the program, the school of law
29 must make provision for cases of hardship or exceptional circumstances,
30 as defined by the school of law. Examples of such circumstances
31 include, but are not limited to, family leave, medical leave, illness
32 or disability, and loss of employment.

33 (d) The loan repayment assistance program must be available to
34 otherwise eligible graduates of the law school who work in positions
35 with nonprofit organizations or government agencies. Such positions
36 must be located within Washington state. Government agencies shall
37 include the various branches of the military.

1 (21) \$54,000 of the general fund--state appropriation for fiscal
2 year 2008 and \$54,000 of the general fund--state appropriation for
3 fiscal year 2009 are provided solely for the University of Washington
4 geriatric education center to develop a voluntary adult family home
5 certification program. In addition to the minimum qualifications
6 required under RCW 70.128.120, individuals participating in the
7 voluntary adult family home certification program shall complete fifty-
8 two hours of class requirements as established by the University of
9 Washington geriatric education center. Individuals completing the
10 requirements of RCW 70.128.120 and the voluntary adult family home
11 certification program shall be issued a certified adult family home
12 license by the department of social and health services. The
13 department of social and health services shall adopt rules implementing
14 the provisions of this subsection.

15 (22) \$22,000 of the general fund--state appropriation for fiscal
16 year 2008 and \$97,000 of the general fund--state appropriation for
17 fiscal year 2009 are provided solely for the William D. Ruckelshaus
18 center for implementation of section 5 of Engrossed Second Substitute
19 House Bill No. 3123 (nurse staffing). If section 5 of the bill is not
20 enacted by June 30, 2008, the amount provided in this subsection shall
21 lapse.

22 (23) \$1,000,000 of the general fund--state appropriation for fiscal
23 year 2009 is provided solely to establish an e-Science institute that
24 will provide infrastructure and consulting expertise to university
25 researchers in advanced computational techniques needed to capture,
26 store, organize, access, mine, visualize, and interpret massive data
27 sets.

28 (24) \$50,000 of the general fund--state appropriation for fiscal
29 year 2009 is provided solely for incentive grants to support medical
30 research or medical training projects focused upon improvement of
31 services to persons with developmental disabilities. The university
32 shall report to appropriate committees of the legislature by December
33 1, 2008, on incentive grants awarded, and other efforts to improve
34 training for medical students in treating persons with developmental
35 disabilities.

36 (25) When implementing reductions in fiscal year 2009, the
37 University of Washington shall minimize impacts on academic programs,

1 maximize reductions in administration, and not reduce enrollments below
2 enrollment levels referenced in 2008 c 329 s 604 and section 601 of
3 this act.

4 **Sec. 1502.** 2009 c 4 s 606 (uncodified) is amended to read as
5 follows:

6 **FOR CENTRAL WASHINGTON UNIVERSITY**

7	General Fund--State Appropriation (FY 2008)	\$47,691,000
8	General Fund--State Appropriation (FY 2009)	(\$45,272,000)
9		<u>\$45,275,000</u>
10	Education Legacy Trust Account--State	
11	Appropriation	\$16,219,000
12	Pension Funding Stabilization Account	
13	Appropriation	\$4,330,000
14	TOTAL APPROPRIATION	(\$113,512,000)
15		<u>\$113,515,000</u>

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

18 (1) \$2,474,000 of the education legacy trust account--state
19 appropriation is to increase general enrollments by 70 FTE students in
20 fiscal year 2008 and by an additional 211 FTE enrollments in fiscal
21 year 2009. At least 30 of the additional fiscal year 2009 enrollments
22 are expected to be graduate students.

23 (2) \$1,816,000 of the education legacy trust account--state
24 appropriation for fiscal year 2008 is to increase math and science
25 enrollments by 105 FTE students in fiscal year 2008 and by an
26 additional 89 FTE students in fiscal year 2009. The university shall
27 provide data to the office of financial management regarding math and
28 science enrollments, graduations, and employment of college graduates
29 related to state investments in math and science enrollment programs.
30 Data may be provided through the centralized higher education
31 enrollment system or through an alternative means agreed to by the
32 institutions and the office of financial management.

33 (3) \$1,801,000 of the education legacy trust account--state
34 appropriation is to increase high-demand undergraduate enrollments by
35 85 student FTEs in fiscal year 2008 and by an additional 70 FTE
36 students in fiscal year 2009. The programs expanded shall include, but
37 are not limited to, bilingual education and information technology.

1 The university shall provide data to the office of financial management
2 that is required to track changes in enrollments, graduations, and the
3 employment of college graduates related to state investments in high-
4 demand enrollment programs. Data may be provided through the public
5 centralized higher education enrollment system or through an
6 alternative means agreed to by the institutions and the office of
7 financial management.

8 (4) \$500,000 of the education legacy trust account--state
9 appropriation is provided solely to expand the number of TRIO eligible
10 students served in the student support services program at Central
11 Washington University by 250 students each year. TRIO students include
12 low-income, first-generation, and college students with disabilities.
13 The student support services program shall report annually to the
14 office of financial management and the appropriate policy and fiscal
15 committees of the legislature on the retention and completion rates of
16 students served through this appropriation. Retention rates shall
17 continue to exceed 85 percent for TRIO students in this program.

18 (5) The higher education coordinating board, the office of
19 financial management, and the higher education institutions negotiated
20 a set of performance measures, checkpoints, and targets in 2006. By
21 July 31, 2007, the university and the board shall review and revise
22 these targets based on per-student funding in the 2007-09
23 appropriations act. In addition, the board shall compile comparable
24 data from peer institutions in the eight global challenge states
25 identified in the Washington Learns study.

26 The checkpoints previously agreed by the board and the Central
27 Washington University are enumerated as follows:

28 (a) Increase the number of baccalaureate degrees conferred per year
29 to 2,050;

30 (b) Increase the number of high-demand baccalaureate degrees
31 conferred per year to 49;

32 (c) Increase the number of advanced degrees conferred per year at
33 all campuses to 196;

34 (d) Improve the six-year graduation rate for baccalaureate students
35 to 51.1 percent;

36 (e) Improve the three-year graduation rate for students who
37 transfer with an associates degree to 72.3 percent;

38 (f) Improve the freshman retention rate to 78.2 percent;

1 (g) Improve time to degree for baccalaureate students to 86.6
2 percent, measured by the percent of admitted students who graduate
3 within 125 percent of the credits required for a degree; and

4 (h) The institution shall provide a report on Pell grant
5 recipients' performance within each of the measures included in this
6 section.

7 Central Washington University shall report its progress and ongoing
8 efforts toward meeting the provisions of this section to the higher
9 education coordinating board prior to November 1, 2009.

10 (6) \$500,000 of the education legacy trust account appropriation is
11 provided solely to implement Engrossed Substitute House Bill No. 1497
12 (Central Washington University operating fee waivers). If the bill is
13 not enacted by June 30, 2007, this appropriation shall lapse.

14 (7) In an effort to introduce students to and inform students of
15 post-secondary opportunities in Washington state, by October 1st of
16 each year the university shall report to the higher education
17 coordinating board progress towards developing and implementing
18 outreach programs designed to increase awareness of higher education to
19 K-12 populations.

20 (8) When implementing reductions in fiscal year 2009, Central
21 Washington University shall minimize impacts on academic programs,
22 maximize reductions in administration, and not reduce enrollments below
23 enrollment levels referenced in 2008 c 329 s 604 and section 601 of
24 this act.

25 **Sec. 1503.** 2009 c 4 s 609 (uncodified) is amended to read as
26 follows:

27 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
28 **ADMINISTRATION**

29	General Fund--State Appropriation (FY 2008)	\$7,008,000
30	General Fund--State Appropriation (FY 2009)	\$6,533,000
31	General Fund--Federal Appropriation	\$4,333,000
32	TOTAL APPROPRIATION	\$17,874,000

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

35 (1) (~~(\$87,000 of the general fund state appropriation for fiscal~~
36 ~~year 2008 and \$169,000 of the general fund state appropriation for~~
37 ~~fiscal year 2009 are provided solely to maintain and update a~~

1 ~~scholarship clearinghouse that lists every public and private~~
2 ~~scholarship available to Washington students)) Within the funds~~
3 ~~appropriated in this section, the board shall maintain and update a~~
4 ~~scholarship clearing house that lists every public and private~~
5 ~~scholarship available to Washington students.~~ The higher education
6 coordinating board shall develop a web-based interface for students and
7 families as well as a common application for these scholarships.

8 (2) (~~(\$339,000 of the general fund--state appropriation for fiscal~~
9 ~~year 2008 and \$330,000 of the general fund--state appropriation for~~
10 ~~fiscal year 2009 are provided solely for implementation of)) Within the~~
11 ~~funds appropriated in this section, the board shall implement~~ Second
12 Substitute Senate Bill No. 5098 (the college bound scholarship). If
13 the bill is not enacted by June 30, 2007, the amounts provided in this
14 subsection shall lapse.

15 (3) (~~(\$200,000 of the general fund--state appropriation for fiscal~~
16 ~~year 2008 and \$150,000 of the general fund--state appropriation for~~
17 ~~fiscal year 2009 are provided solely for implementation of)) Within the~~
18 ~~funds appropriated in this section, the board shall implement~~ Engrossed
19 Substitute House Bill No. 1131 (the passport to college promise). If
20 the bill is not enacted by June 30, 2007, the amounts provided in this
21 subsection shall lapse.

22 (4) (~~(\$152,000 of the general fund--state appropriation for fiscal~~
23 ~~year 2008 and \$191,000 of the general fund--state appropriation for~~
24 ~~fiscal year 2009 are provided solely for administration of)) Within the~~
25 ~~funds appropriated in this section, the board shall implement~~
26 conditional scholarships.

27 (5) (~~Except for moneys provided in this section for specific~~
28 ~~purposes, and to the extent that the executive director finds that the~~
29 ~~agency will not require the full amount appropriated for a fiscal year~~
30 ~~in this section, the unexpended appropriation shall be transferred to~~
31 ~~the state education trust account established under RCW 28B.92.140 for~~
32 ~~purposes of fulfilling unfunded scholarship commitments that the board~~
33 ~~made under its federal GEAR UP Grant 1-~~

34 ~~(6))~~ \$200,000 of the general fund--state appropriation is provided
35 solely to implement a capital facility and technology capacity study
36 which will compare the 10-year enrollment projections with the capital
37 facility requirements and technology application and hardware capacity

1 needed to deliver higher education programs for the period 2009-2019.

2 The higher education coordinating board shall:

3 (a) Develop the study in collaboration with the state board for
4 community and technical colleges, four-year universities, and the
5 Washington independent colleges;

6 (b) Determine the 10-year capital facilities and technology
7 application and hardware investment needed by location to deliver
8 higher education programs to additional student FTE;

9 (c) Estimate operational and capital costs of the additional
10 capacity; and

11 (d) Report findings to the legislature on October 1, 2008.

12 ~~((7) \$85,000 of the general fund state appropriation for fiscal~~
13 ~~year 2008 and \$127,000 of the general fund state appropriation for~~
14 ~~fiscal year 2009 are provided solely for the board to))~~ (6) Within the
15 funds appropriated in this section, the board shall prepare a program
16 and operating plan for a higher education center in the Kitsap county
17 area. The plan shall be developed in consultation with an advisory
18 committee of civic, business, and educational leaders from Clallam,
19 Jefferson, Kitsap, and Mason counties. It shall include a projection
20 of lower and upper division and graduate enrollment trends in the study
21 area; a review of assessments of employer needs; an inventory of
22 existing and needed postsecondary programs; recommended strategies for
23 promoting active program participation in and extensive program
24 offerings at the center by public and private baccalaureate
25 institutions; and an estimate of operating and capital costs for the
26 creation and operation of the center. The board shall submit its
27 findings and recommendations to the governor and legislature by
28 December 1, 2008.

29 ~~((8) \$60,000 of the general fund state appropriation for fiscal~~
30 ~~year 2009 is provided solely for implementation of))~~ (7) Within the
31 funds appropriated in this section, the board shall implement Engrossed
32 House Bill No. 2641 (education performance agreements). If the bill is
33 not enacted by June 30, 2008, the amount provided in this subsection
34 shall lapse.

35 ~~((9))~~ (8) The higher education coordinating board, the department
36 of licensing, and the department of health shall jointly review and
37 report to appropriate policy committees of the legislature by December
38 1, 2008, on barriers and opportunities for increasing the extent to

1 which veterans separating from duty are able to apply skills sets and
2 education required while in service to certification, licensure, and
3 degree requirements.

4 ~~((10) \$100,000 of the general fund--state appropriation for fiscal~~
5 ~~year 2009 is provided solely for the higher education coordinating~~
6 ~~board to)) (9) Within the funds appropriated in this section, the board~~
7 shall convene interested parties from Snohomish, Island, and Skagit
8 counties to consider the November 2007 site options and recommendations
9 for a new campus of the University of Washington in Snohomish county.
10 The three local communities shall develop a consensus recommendation on
11 a single preferred site and present the recommendation to the higher
12 education coordinating board. The higher education coordinating board
13 shall then present the single preferred site recommendation to the
14 appropriate legislative fiscal and policy committees by December 1,
15 2008.

16 **Sec. 1504.** 2009 c 4 s 610 (uncodified) is amended to read as
17 follows:

18 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**
19 **PROGRAMS**

20	General Fund--State Appropriation (FY 2008)	\$163,286,000
21	General Fund--State Appropriation (FY 2009)	\$188,498,000
22	General Fund--Federal Appropriation	\$13,113,000
23	Education Legacy Trust Account--State	
24	Appropriation	(((\$108,188,000))
25		<u>\$106,588,000</u>
26	TOTAL APPROPRIATION	(((\$473,085,000))
27		<u>\$471,485,000</u>

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

30 (1) \$154,760,000 of the general fund--state appropriation for
31 fiscal year 2008, \$178,707,000 of the general fund--state appropriation
32 for fiscal year 2009, \$49,902,000 of the education legacy trust account
33 appropriation for fiscal year 2008, \$40,050,000 of the education legacy
34 trust account appropriation for fiscal year 2009, and \$2,886,000 of the
35 general fund--federal appropriation are provided solely for student
36 financial aid payments under the state need grant; the state work study
37 program including a four percent administrative allowance; the

1 Washington scholars program; and the Washington award for vocational
2 excellence. All four programs shall increase grant awards sufficiently
3 to offset the full cost of the resident undergraduate tuition increases
4 authorized under this act.

5 (2) Within the funds appropriated in this section, eligibility for
6 the state need grant shall be expanded to include students with family
7 incomes at or below 70 percent of the state median family income,
8 adjusted for family size. Awards for students with incomes between 66
9 percent and 70 percent of the state median shall be 50 percent of the
10 award amount granted to those with incomes below 51 percent of the
11 median.

12 (3) To the extent that the executive director determines that the
13 agency will not award the full amount appropriated in subsection (1) of
14 this section for a fiscal year, unexpended funds shall be transferred
15 to the state education trust account established under RCW 28B.92.140
16 for purposes first of fulfilling the unfunded scholarship commitments
17 that the board made under its federal GEAR UP Grant 1.

18 (4) \$7,400,000 of the education legacy trust account appropriation
19 is provided solely for investment to fulfill the scholarship
20 commitments that the state incurs in accordance with Second Substitute
21 Senate Bill No. 5098 (the college bound scholarship). If the bill is
22 not enacted by June 30, 2007, the amount provided in this subsection
23 shall lapse.

24 (5) \$2,500,000 of the education legacy trust account--state
25 appropriation is provided solely to expand the gaining early awareness
26 and readiness for undergraduate programs project to at least 25
27 additional school districts.

28 (6) \$1,000,000 of the education legacy trust account--state
29 appropriation is provided solely to encourage more students to teach
30 secondary mathematics and science. \$500,000 of this amount is provided
31 to increase the future teacher scholarship and conditional loan program
32 by at least 35 students per year. \$500,000 of this amount is provided
33 to support state work study positions for students to intern in
34 secondary math and science classrooms.

35 (7) (~~(\$2,336,000)~~) \$736,000 of the education legacy trust
36 account--state appropriation for fiscal year 2009 is provided solely
37 for implementation of Engrossed Substitute House Bill No. 1131
38 (passport to college). Funds are provided for student scholarships,

1 and for incentive payments to the colleges they attend for
2 individualized student support services which may include, but are not
3 limited to, college and career advising, counseling, tutoring, costs
4 incurred for students while school is not in session, personal
5 expenses, health insurance, and emergency services. If the bill is not
6 enacted by June 30, 2007, the amount provided in this subsection shall
7 lapse.

8 (8) \$246,000 of the general fund--state appropriation for fiscal
9 year 2008 and \$246,000 of the general fund--state appropriation for
10 fiscal year 2009 are for community scholarship matching grants and its
11 administration. To be eligible for the matching grant, nonprofit
12 groups organized under section 501(c)(3) of the federal internal
13 revenue code must demonstrate they have raised at least \$2,000 in new
14 moneys for college scholarships after the effective date of this
15 section. Groups may receive no more than one \$2,000 matching grant per
16 year and preference shall be given to groups affiliated with
17 scholarship America. Up to a total of \$46,000 per year of the amount
18 appropriated in this section may be awarded to a nonprofit community
19 organization to administer scholarship matching grants, with preference
20 given to an organization affiliated with scholarship America.

21 (9) \$75,000 of the general fund--state appropriation for fiscal
22 year 2008 and \$75,000 of the general fund--state appropriation for
23 fiscal year 2009 are provided solely for higher education student child
24 care matching grants under chapter 28B.135 RCW.

25 (10) \$500,000 of the general fund--state appropriation for fiscal
26 year 2008 and \$500,000 of the general fund--state appropriation for
27 fiscal year 2009 are provided solely for implementation of Engrossed
28 Substitute House Bill No. 1179 (state need grant). State need grants
29 provided to students enrolled in just three to five credit-bearing
30 quarter credits, or the equivalent semester credits, shall not exceed
31 the amounts appropriated in this subsection. By November 1 of each
32 year, the board shall report to the office of financial management and
33 to the operating budget committees of the house of representatives and
34 senate on the number of eligible but unserved students enrolled in just
35 three to five quarterly credits, or the semester equivalent, and the
36 estimated cost of serving them. If the bill is not enacted by June 30,
37 2007, the amounts provided in this subsection shall lapse.

1 (11) \$5,000,000 of the education legacy trust account appropriation
2 is provided solely to implement Engrossed Second Substitute House Bill
3 No. 1779 (GET ready for math and science). If the bill is not enacted
4 by June 30, 2007, the amount provided in this subsection shall lapse.

5 (12) \$1,250,000 of the general fund--state appropriation for fiscal
6 year 2009 is provided solely for the health professional scholarship
7 and loan program. The funds provided in this subsection (a) shall be
8 prioritized for health care deliver sites demonstrating a commitment to
9 serving the uninsured; and (b) shall be allocated between loan
10 repayments and scholarships proportional to current program
11 allocations.

12 **Sec. 1505.** 2009 c 4 s 613 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF EARLY LEARNING**

15	General Fund--State Appropriation (FY 2008)	\$62,362,000
16	General Fund--State Appropriation (FY 2009)	\$69,120,000
17	General Fund--Federal Appropriation	(\$192,192,000)
18		<u>\$200,692,000</u>
19	General Fund--Private/Local Appropriation	\$6,000
20	TOTAL APPROPRIATION	(\$323,680,000)
21		<u>\$332,180,000</u>

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

24 (1) \$47,919,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$56,437,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for early childhood education and
27 assistance program services.

28 (a) Of these amounts, \$10,284,000 is a portion of the biennial
29 amount of state matching dollars required to receive federal child care
30 and development fund grant dollars.

31 (b) Within the amounts provided in this subsection (1), the
32 department shall increase the number of children receiving early
33 childhood education and assistance program services by 2,250 slots.

34 (c) Within the amounts provided in this subsection (1), the
35 department shall increase the minimum provider per slot payment to
36 \$6,500 in fiscal year 2008. Any provider receiving slot payments

1 higher than \$6,500 shall receive a 2.0 percent vendor rate increase in
2 fiscal year 2008. All providers shall receive a 2.0 percent vendor
3 rate increase in fiscal year 2009.

4 (2) \$775,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$1,825,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely to: (a) Develop a quality rating
7 and improvement system; and (b) pilot the quality rating and
8 improvement system in multiple locations. Four of the pilot sites are
9 to be located within the following counties: Spokane, Kitsap, King, and
10 Yakima. The department shall analyze and evaluate the pilot sites and
11 report initial findings to the legislature by December 1, 2008. Prior
12 to statewide implementation of the quality rating and improvement
13 system, the department of early learning shall present the system to
14 the legislature and the legislature shall formally approve the
15 implementation of the system through the omnibus appropriations act or
16 by statute or concurrent resolution.

17 (3) \$850,000 of the general fund--state appropriation for fiscal
18 year 2008 and \$850,000 of the general fund--state appropriation for
19 fiscal year 2009 are provided solely for the department to contract for
20 child care referral services.

21 (4) \$1,200,000 of the general fund--state appropriation for fiscal
22 year 2008 and \$800,000 of the general fund--state appropriation for
23 fiscal year 2009 are provided solely to develop and provide culturally
24 relevant supports for parents, family, and other caregivers. This
25 includes funding for the department to conduct a random sample survey
26 of parents to determine the types of early learning services and
27 materials parents are interested in receiving from the state. The
28 department shall report the findings to the appropriate policy and
29 fiscal committees of the legislature by October 1, 2008.

30 (5) \$250,000 of the general fund--state appropriation for fiscal
31 year 2008 and \$250,000 of the general fund--state appropriation for
32 fiscal year 2009 are provided solely for a child care consultation
33 pilot program linking child care providers with evidence-based and best
34 practice resources regarding caring for infants and young children who
35 present behavior concerns.

36 (6) \$500,000 of the general fund--state appropriation for fiscal
37 year 2008 and (~~(\$500,000)~~) \$400,000 of the general fund--state

1 appropriation for fiscal year 2009 are provided solely to expand the
2 child care career and wage ladder program created by chapter 507, Laws
3 of 2005.

4 (7) \$172,000 of the general fund--state appropriation for fiscal
5 year 2008 is provided solely for the department to purchase licensing
6 capability from the department of social and health services through
7 the statewide automated child welfare information system.

8 (8) \$1,100,000 of the general fund--state appropriation for fiscal
9 year 2008 and (~~(\$1,100,000)~~) \$1,025,000 of the general fund--state
10 appropriation for fiscal year 2009 are provided solely for a childcare
11 grant program for public community colleges and public universities.
12 A community college or university that employs collectively bargained
13 staff to operate childcare programs may apply for up to \$25,000 per
14 year from the department per each type of the following programs: Head
15 start, childcare, early childhood assistance and education. The
16 funding shall only be provided for salaries for collectively bargained
17 employees.

18 (9) Beginning October 1, 2007, the department shall be the lead
19 agency for and recipient of the federal child care and development fund
20 grant. Amounts within this grant shall be used to fund child care
21 licensing, quality initiatives, agency administration, and other costs
22 associated with child care subsidies. The department shall transfer a
23 portion of this grant to the department of social and health services
24 to partially fund the child care subsidies paid by the department of
25 social and health services on behalf of the department of early
26 learning.

27 (10) Prior to the development of an early learning information
28 system, the department shall submit to the education and fiscal
29 committees of the legislature a completed feasibility study and a
30 proposal approved by the department of information systems and the
31 information services board. The department shall ensure that any
32 proposal for the early learning information system includes the cost
33 for modifying the system as a result of licensing rule changes and
34 implementation of the quality rating and improvement system.

35 (11) The department, in conjunction with the early learning
36 advisory council, shall report by June 30, 2009, to the governor and
37 the appropriate committees of the legislature regarding the following:

1 (a) Administration of the state training and registry system,
2 including annual expenditures, participants, and average hours of
3 training provided per participant; and

4 (b) An evaluation of the child care resource and referral network
5 in providing information to parents and training and technical
6 assistance to child care providers.

7 (12) The department shall use child care development fund money to
8 satisfy the federal audit requirement of the improper payments act
9 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent
10 on the audits will not count against the five percent state limit on
11 administrative expenditures.

12 (13) \$150,000 of the general fund--state appropriation for fiscal
13 year 2009 is provided solely for the department of early learning to
14 work with the office of the superintendent of public instruction, and
15 collaborate with thrive by five Washington, to study and make
16 recommendations regarding the implementation of a statewide
17 kindergarten entry assessment. The department and the office of the
18 superintendent of public instruction shall jointly submit a report with
19 recommendations for implementing the kindergarten entry assessment to
20 the governor and the appropriate committees of the legislature by
21 December 15, 2008. In the study and development of the
22 recommendations, the department shall:

23 (a) Consult with early learning experts, including research and
24 educator associations, early learning and kindergarten teachers, and
25 Washington Indian tribes;

26 (b) Identify a preferred kindergarten entry assessment based on
27 research and examples of other assessments, and which is sensitive to
28 cultural and socioeconomic differences influencing the development of
29 young children;

30 (c) Recommend a plan for the use of the assessment in a pilot phase
31 and a voluntary use phase, and recommend a time certain when school
32 districts must offer the assessment;

33 (d) Recommend how to report the results of the assessment to
34 parents, the office of the superintendent of public instruction, and
35 the department of early learning in a common format, and for a
36 methodology for conducting the assessments;

37 (e) Analyze how the assessment could be used to improve instruction

1 for individual students entering kindergarten and identify whether and
2 how the assessment results could be used to improve the early learning
3 and K-12 systems, including the transition between the systems;

4 (f) Identify the costs of the assessment, including the time
5 required to administer the assessment; and

6 (g) Recommend how to ensure that the assessment shall not be used
7 to screen or otherwise preclude children from entering kindergarten if
8 they are otherwise eligible.

9 (14) \$120,000 of the general fund--state appropriation for fiscal
10 year 2009 is provided solely for encouraging private match investment
11 for innovative, existing local early learning coalitions to achieve one
12 or more of the following:

13 (a) Increase communities' abilities to implement their business
14 plans for comprehensive local and regional early learning systems;

15 (b) Involve parents in their children's education;

16 (c) Enhance coordination between the early childhood and K-12
17 system; or

18 (d) Improve training and support for raising the level of child
19 care givers' professional skills to ensure that children are healthy
20 and ready to succeed in school and life.

21 **Sec. 1506.** 2009 c 4 s 614 (uncodified) is amended to read as
22 follows:

23 **FOR THE STATE SCHOOL FOR THE BLIND**

24	General Fund--State Appropriation (FY 2008)	\$5,969,000
25	General Fund--State Appropriation (FY 2009)	(\$6,069,000)
26		<u>\$6,135,000</u>
27	General Fund--Private/Local Appropriation	\$1,561,000
28	TOTAL APPROPRIATION	(\$13,599,000)
29		<u>\$13,665,000</u>

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

32 (1) \$10,000 of the general fund--state appropriation for fiscal
33 year 2008 and \$40,000 of the general fund--state appropriation for
34 fiscal year 2009 are provided solely to defend the state's interpretive
35 position in the case of *Delyria & Koch v. Washington State School for*
36 *the Blind*.

1 (2) \$5,000 of the general fund--state appropriation for fiscal year
2 2009 is provided solely for increasing salaries for certificated
3 instructional staff by an average of one-half of one percent effective
4 July 1, 2008.

5 **Sec. 1507.** 2009 c 4 s 615 (uncodified) is amended to read as
6 follows:

7 **FOR THE STATE SCHOOL FOR THE DEAF**

8	General Fund--State Appropriation (FY 2008)	\$8,858,000
9	General Fund--State Appropriation (FY 2009)	(\$8,764,000)
10		<u>\$8,792,000</u>
11	General Fund--Private/Local Appropriation	\$316,000
12	TOTAL APPROPRIATION	(\$17,938,000)
13		<u>\$17,966,000</u>

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

16 (1) \$84,000 of the general fund--private/local appropriation for
17 fiscal year 2009 is provided solely for the operation of the shared
18 reading video outreach program. The school for the deaf shall provide
19 this service to the extent it is funded by contracts with school
20 districts and educational service districts.

21 (2) \$9,000 of the general fund--state appropriation for fiscal year
22 2009 is provided solely for increasing salaries for certificated
23 instructional staff by an average of one-half of one percent effective
24 July 1, 2008.

25 **Sec. 1508.** 2009 c 4 s 616 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE ARTS COMMISSION**

28	General Fund--State Appropriation (FY 2008)	\$2,548,000
29	General Fund--State Appropriation (FY 2009)	(\$2,454,000)
30		<u>\$2,434,000</u>
31	General Fund--Federal Appropriation	(\$1,382,000)
32		<u>\$1,518,000</u>
33	General Fund--Private/Local Appropriation	\$154,000

1 TOTAL APPROPRIATION (~~(\$6,538,000)~~)
2 \$6,654,000

(End of part)

PART XVI

SPECIAL APPROPRIATIONS

Sec. 1601. 2008 c 329 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2008), General Fund--State Appropriation (FY 2009), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2008 shall be expended into the debt-limit general fund bond retirement account by June 30, 2008.

Sec. 1602. 2008 c 329 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
2 **BE REIMBURSED BY ENTERPRISE ACTIVITIES**
3 State Convention and Trade Center Account--State
4 Appropriation \$22,535,000
5 Accident Account--State Appropriation ((~~\$5,135,000~~))
6 \$5,136,000
7 Medical Aid Account--State Appropriation ((~~\$5,135,000~~))
8 \$5,136,000
9 TOTAL APPROPRIATION ((~~\$32,805,000~~))
10 \$32,807,000

11 **Sec. 1603.** 2008 c 329 s 703 (uncodified) is amended to read as
12 follows:

13 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
15 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

16 General Fund--State Appropriation (FY 2008) \$26,848,000
17 General Fund--State Appropriation (FY 2009) ((~~\$27,728,000~~))
18 \$27,729,000
19 School Construction and Skills Centers Building
20 Account--State Appropriation \$50,000
21 Nondebt-Limit Reimbursable Bond Retirement
22 Account--State Appropriation ((~~\$135,967,000~~))
23 \$136,147,000
24 TOTAL APPROPRIATION ((~~\$190,543,000~~))
25 \$190,774,000

26 The appropriations in this section are subject to the following
27 conditions and limitations: The general fund appropriation is for
28 expenditure into the nondebt-limit general fund bond retirement
29 account. The entire general fund--state appropriation for fiscal year
30 2008 shall be expended into the nondebt-limit general fund bond
31 retirement account by June 30, 2008.

32 **Sec. 1604.** 2008 c 329 s 704 (uncodified) is amended to read as
33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1	BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES	
2	General Fund--State Appropriation (FY 2008)	\$750,000
3	General Fund--State Appropriation (FY 2009)	\$750,000
4	State Building Construction Account--State	
5	Appropriation	\$1,546,000
6	Columbia River Basin Water Supply Development	
7	Account--State Appropriation	\$17,000
8	Hood Canal Aquatic Rehabilitation Bond	
9	Account--State Appropriation	\$3,000
10	State Taxable Building Construction	
11	Account--State Appropriation	\$122,000
12	Gardner-Evans Higher Education Construction	
13	Account--State Appropriation	\$452,000
14	<u>School Construction and Skills Centers Building</u>	
15	<u>Account--State Appropriation</u>	<u>\$9,000</u>
16	TOTAL APPROPRIATION	<u>((\$3,640,000))</u>
17		<u>\$3,649,000</u>

18 **Sec. 1605.** 2008 c 329 s 705 (uncodified) is amended to read as
19 follows:

20	FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY POOL	
21	Disaster Response Account--State Appropriation	((\$8,500,000))
22		<u>\$9,500,000</u>

23 The appropriation in this section is subject to the following
24 conditions and limitations: The entire appropriation is for the
25 purpose of making allocations to the Washington state patrol for any
26 Washington state fire service resource mobilization costs incurred in
27 response to an emergency or disaster authorized under RCW 43.43.960 and
28 43.43.964.

29 **Sec. 1606.** 2008 c 329 s 706 (uncodified) is amended to read as
30 follows:

31	FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY	
32	General Fund--State Appropriation (FY 2008)	\$6,500,000
33	General Fund--State Appropriation (FY 2009)	((\$2,000,000))
34		<u>\$3,000,000</u>
35	TOTAL APPROPRIATION	<u>((\$8,500,000))</u>
36		<u>\$9,500,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: The appropriations are provided solely for
3 expenditure into the disaster response account for the purposes
4 specified in section 705 of this act.

5 **Sec. 1607.** 2008 c 329 s 707 (uncodified) is amended to read as
6 follows:

7 **FOR SUNDRY CLAIMS.** The following sums, or so much thereof as may
8 be necessary, are appropriated from the general fund, unless otherwise
9 indicated, for relief of various individuals, firms, and corporations
10 for sundry claims. These appropriations are to be disbursed on
11 vouchers approved by the director of financial management, except as
12 otherwise provided, as follows:

13 (1) Reimbursement of criminal defendants acquitted on the basis of
14 self-defense, pursuant to RCW 9A.16.110:

- 15 (a) George E. Linkenhoker, claim number SCJ 2008-01 \$24,628
- 16 (b) Charles A. Gardner, claim number SCJ 2008-02 \$ 2,715
- 17 (c) Judd Hurst, claim number SCJ 2008-03 \$ 2,000
- 18 (d) Thomas J. Nelson, claim number SCJ 2008-04 \$ 5,000
- 19 (e) William R. Sauters, Jr., claim number
20 SCJ 2008-05 \$11,408
- 21 (f) Michael E. Greene, claim number SCJ 2008-06 \$ 1,500
- 22 (g) Jeffery A. Cobb, claim number SCJ 2008-08 \$ 7,600
- 23 (h) Robert R. Park, claim number SCJ 2008-09 \$26,385
- 24 (i) Donald Willett, claim number SCJ 2008-11 \$6,600
- 25 (j) Antonio Perez, claim number SCJ 2009-01 \$7,179
- 26 (k) James D. Romans, claim number SCJ 2009-02 \$4,481
- 27 (l) Michael V. Shong, claim number SCJ 2009-03 \$15,118
- 28 (m) Gerald A. Tinkess, claim number SCJ 2009-04 \$68,865
- 29 (n) Linh D. Hguyen, claim number SCJ 2009-05 \$4,000
- 30 (o) Rafael R. Robinson, claim number SCJ 2009-06 \$7,200
- 31 (p) Anthony J. Magnesi, claim number SCJ 2009-07 \$74,888
- 32 (q) Jerry Startzell, claim number 99970000 \$12,975

33 (2) Payment from the state wildlife account for damage to crops by
34 wildlife pursuant to RCW 77.36.050:

- 35 (a) David Guenther, claim number 99970001 \$3,660
- 36 (b) Wilbur Eaton, claim number 99970002 \$3,069
- 37 (c) Eaton Brothers, claim number 99970003 \$2,809

1	Appropriation (FY 2008)	\$1,000
2	Violence Reduction and Drug Enforcement Account--State	
3	Appropriation (FY 2009)	\$1,000
4	Health Services Account--State Appropriation (FY 2008)	\$7,000
5	Health Services Account--State Appropriation (FY 2009)	\$7,000
6	((Dedicated Funds and Accounts Appropriation	\$640,000))
7	TOTAL APPROPRIATION	((\$5,301,000))
8		<u>\$4,661,000</u>

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

11 (1) The appropriations are provided solely for expenditure into the
12 health care authority administrative account.

13 (2) To facilitate the transfer of moneys from dedicated funds and
14 accounts, the office of financial management shall transfer or direct
15 the transfer of sufficient moneys from each dedicated fund or account,
16 including local funds of state agencies and institutions of higher
17 education, to the health care authority administrative account in
18 accordance with LEAP document number C04-2008, dated March 10, 2008.
19 Agencies and institutions of higher education with local funds will
20 deposit sufficient money to the health care authority administrative
21 account.

22 NEW SECTION. **Sec. 1610.** A new section is added to 2007 c 522
23 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**
25 **ACCOUNT**

26	General Fund--State Appropriation (FY 2009)	\$5,512,000
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27 The appropriation in this section is subject to the following
28 conditions and limitations: The appropriation is provided solely for
29 expenditure into the capitol building construction account.

30 NEW SECTION. **Sec. 1611.** A new section is added to 2007 c 522
31 (uncodified) to read as follows:

32 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--HELP AMERICA VOTE ACT**

33	General Fund--State Appropriation (FY 2009)	\$228,000
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34 The appropriation in this section is subject to the following

1 conditions and limitations: The appropriation is provided solely for
2 expenditure into the election account.

3 NEW SECTION. **Sec. 1612.** A new section is added to 2007 c 522
4 (uncodified) to read as follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CLARKE-MCNARY ACCOUNT**
6 General Fund--State Appropriation (FY 2009) \$1,353,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: The appropriation is provided solely for
9 expenditure into the Clarke-McNary account.

10 NEW SECTION. **Sec. 1613.** A new section is added to 2007 c 522
11 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**
13 **COSTS**
14 General Fund--State Appropriation (FY 2009) \$500,000

15 The appropriation in this section is subject to the following
16 conditions and limitations: The director of financial management shall
17 distribute funds to Franklin county (\$87,000), Skagit county (\$13,000),
18 Yakima county (\$15,000), Spokane county (\$99,000), and King county
19 (\$286,000) for extraordinary criminal justice costs.

20 NEW SECTION. **Sec. 1614. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
21 **OIL SPILL PREVENTION ACCOUNT**
22 General Fund--State Appropriation (FY 2009) \$6,500,000

23 The appropriation in this section is subject to the following
24 conditions and limitations: The appropriation is provided solely for
25 expenditure into the oil spill prevention account.

(End of part)

PART XVII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1701. 2009 c 4 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((~~\$7,654,000~~))
\$7,499,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$47,557,000~~))
\$46,459,000

General Fund Appropriation for prosecuting attorney distributions. Of this amount, \$903,000 is provided solely for the implementation of Substitute Senate Bill No. 6297 (prosecuting attorney salaries). If the bill is not enacted by June 30, 2008, the amount provided shall lapse. ((~~\$4,902,000~~))
\$4,829,000

General Fund Appropriation for boating safety and education distributions ((~~\$4,400,000~~))
\$4,491,000

General Fund Appropriation for other tax distributions \$48,000

General Fund Appropriation for habitat conservation program distributions ((~~\$1,245,000~~))
\$2,296,000

Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. This amount is provided solely for implementation of Engrossed Substitute Senate Bill No. 6874 (Columbia River water delivery). If the bill is not enacted by June 30, 2008, this amount shall lapse. \$3,775,000

1 Columbia River Water Delivery Account
2 Appropriation for the Spokane Tribe
3 of Indians. This amount is provided
4 solely for implementation of Engrossed
5 Substitute Senate Bill No. 6874 (Columbia
6 River water delivery). If the bill is
7 not enacted by June 30, 2008, this amount
8 shall lapse. \$2,250,000
9 Death Investigations Account Appropriation for
10 distribution to counties for publicly
11 funded autopsies ((~~\$2,192,000~~))
12 \$2,352,000
13 Aquatic Lands Enhancement Account Appropriation
14 for harbor improvement revenue distribution \$148,000
15 Timber Tax Distribution Account Appropriation
16 for distribution to "timber" counties ((~~\$77,753,000~~))
17 \$65,089,000
18 County Criminal Justice Assistance Appropriation ((~~\$62,127,000~~))
19 \$62,778,000
20 Municipal Criminal Justice Assistance
21 Appropriation ((~~\$24,636,000~~))
22 \$24,375,000
23 Liquor Excise Tax Account Appropriation for
24 liquor excise tax distribution ((~~\$49,397,000~~))
25 \$55,244,000
26 Liquor Revolving Account Appropriation for liquor
27 profits distribution ((~~\$82,148,000~~))
28 \$69,817,000
29 City-County Assistance Account Appropriation for local
30 government financial assistance distribution;
31 PROVIDED: That the legislature, in making this
32 appropriation for distribution under the formula
33 prescribed in RCW 43.08.290 for the 2007-09
34 biennium, ratifies and approves the prior
35 distributions, as certified by the department
36 of revenue to the state treasurer, made for the
37 2005-07 biennium from the appropriation in
38 section 801, chapter 372, Laws of 2006 as amended

1 by section 1701, chapter 522, Laws of 2007 (~~(\$29,865,000)~~)
2 \$20,985,000
3 Streamline Sales and Use Tax Account Appropriation
4 for distribution to local taxing jurisdictions
5 to mitigate the unintended revenue redistribution
6 effect of the sourcing law changes \$22,980,000
7 TOTAL APPROPRIATION (~~(\$423,077,000)~~)
8 \$395,415,000

9 The total expenditures from the state treasury under the
10 appropriations in this section shall not exceed the funds available
11 under statutory distributions for the stated purposes.

12 **Sec. 1702.** 2009 c 4 s 802 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--TRANSFERS.**

15 State Treasurer's Service Account: For
16 transfer to the state general fund,
17 \$10,000,000 for fiscal year 2008 and
18 \$31,000,000 for fiscal year
19 2009 \$41,000,000
20 Education Legacy Trust Account: For transfer to
21 the state general fund for fiscal year 2009 \$67,000,000
22 Pension Funding Stabilization Account: For
23 transfer to the state general fund for
24 fiscal year 2009 \$10,000,000
25 Economic Development Strategic Reserve Account:
26 For transfer to the state general fund for
27 fiscal year 2009 \$4,000,000
28 State Convention and Trade Center Operations Account:
29 For transfer to the state general fund on June 30,
30 2009 \$5,000,000
31 State Convention and Trade Center Capital Account:
32 For transfer to the state general fund on
33 June 30, 2009 \$52,000,000
34 After the transfers in this section are made from
35 the state convention and trade center operations
36 and capital accounts, these accounts will
37 have sufficient funds for: (1) A ten million

1 dollar requirement for the retrofit of the museum
2 of history and industry; (2) the requirements of
3 RCW 67.40.040(5) and 67.40.040(6); and (3) a
4 sufficient capital reserve. After the transfer
5 is made, the capital reserve may be applicable for
6 payment of debt service or operating shortfalls.

7 Department of Retirement Systems Expense Account:
8 For transfer to the state general fund for
9 fiscal year 2009 \$11,200,000

10 General Fund: For transfer to the water quality
11 account, \$12,200,000 for fiscal year 2008
12 and (~~(\$12,201,000)~~) \$7,851,000 for fiscal
13 year 2009 (~~(\$24,401,000)~~)
14 \$20,051,000

15 Education Legacy Trust Account: For transfer
16 to the student achievement account for
17 fiscal year 2009 \$90,800,000

18 Drinking Water Assistance Account: For transfer
19 to the drinking water assistance repayment
20 account, an amount not to exceed (~~(\$25,000,000)~~)
21 \$24,000,000

22 Public Works Assistance Account: For transfer
23 to the drinking water assistance account,
24 \$7,200,000 for fiscal year 2008 and
25 \$3,600,000 for fiscal year 2009 \$10,800,000

26 Public Works Assistance Account: For transfer
27 to the job development account, \$25,000,000
28 for fiscal year 2008 and \$25,000,000 for
29 fiscal year 2009 \$50,000,000

30 Local Toxics Control Account: For transfer to the
31 state general fund for fiscal year 2009 \$75,000,000

32 State Toxics Control Account: For transfer to
33 the oil spill prevention account for
34 fiscal year 2009 \$2,400,000

35 State Toxics Control Account: For transfer to the
36 state general fund for fiscal year 2009 \$2,000,000

37 Natural Resources Equipment Account: For transfer
38 to the state general fund for fiscal year 2009 \$3,300,000

1 Tobacco Settlement Account: For transfer
2 to the health services account, in an
3 amount not to exceed the actual amount
4 of the annual base payment to the tobacco
5 settlement account ((~~\$168,111,000~~))
6 \$181,585,000

7 Tobacco Settlement Account: For transfer to the
8 life sciences discovery fund, in an amount
9 not to exceed the actual amount of the
10 strategic contribution supplemental payment
11 to the tobacco settlement account ((~~\$70,000,000~~))
12 \$65,220,000

13 Health Services Account: For transfer to the water
14 quality account, \$3,942,500 for fiscal year 2008
15 and \$3,942,500 for fiscal year 2009 \$7,885,000

16 Health Services Account: For transfer to the violence
17 reduction and drug enforcement account, \$3,466,000
18 for fiscal year 2008 and \$3,466,000 for fiscal year
19 2009 \$6,932,000

20 Health Services Account: For transfer to the tobacco
21 prevention and control account,
22 \$10,523,000 for fiscal year 2008 and
23 ((~~\$10,168,000~~)) \$9,601,000 for fiscal
24 year 2009 ((~~\$20,691,000~~))
25 \$20,124,000

26 General Fund: For transfer to the streamline
27 sales and use tax account for fiscal year 2009 \$31,600,000
28 ((~~General Fund: For transfer to the health services~~
29 ~~account for fiscal year 2009 \$53,000,000~~))

30 Health Services Account: For transfer to the state
31 general fund for fiscal year 2009 \$47,000,000

32 Nisqually Earthquake Account: For transfer to the
33 disaster response account for fiscal year 2008 \$3,000,000

34 Public Safety and Education Account: For transfer to
35 the state general fund for fiscal year 2009 \$6,000,000

36 Reading Achievement Account: For transfer to the
37 state general fund, an amount not to exceed the
38 actual balance of the reading achievement account.

1 This transfer is intended to liquidate the reading
2 achievement account \$1,691,000

3 Family Leave Insurance Account: For transfer to
4 the state general fund, an amount not to exceed
5 the actual balance of the family leave insurance
6 account on the effective date of this section. \$4,458,000

7 Streamline Sales Tax Account: For transfer to the
8 state general fund on June 30, 2009, an amount not
9 to exceed the actual balance of the streamline sales
10 tax account. \$8,620,000

11 Savings Incentive Account: For transfer to the state
12 general fund for fiscal year 2009 \$9,204,000

13 Education Savings Account: For transfer to the state
14 general fund for fiscal year 2009 \$51,088,000

15 Pension Funding Stabilization Account: For transfer
16 to the state general fund for fiscal year 2009 \$2,400,000

17 Budget Stabilization Account: For transfer to
18 the state general fund for fiscal year 2009 \$400,000,000

19 Employment Training Finance Account: For transfer to the
20 state general fund for fiscal year 2009. After the
21 transfer in this section is made, the employment
22 training finance account shall have a balance of
23 \$175,000 to continue customized training program
24 activities \$3,000,000

25 College Faculty Awards Trust Fund: For transfer to the
26 state general fund for fiscal year 2009, an amount
27 not to exceed the actual balance of the college
28 faculty awards trust fund. This transfer is intended
29 to liquidate the college faculty awards trust
30 fund \$4,900,000

31 Washington Distinguished Professorship Trust Account:
32 For transfer to the state general fund for fiscal
33 year 2009, an amount not to exceed the actual
34 balance of the Washington distinguished professorship
35 trust account. This transfer is intended to
36 liquidate the Washington distinguished professorship
37 trust account \$5,000,000

38 Washington Graduate Fellowship Trust Account: For

1 \$3,050,000

2 The appropriation in this section is subject to the following
3 conditions and limitations: The amount appropriated in this section
4 shall be distributed quarterly during the 2007-09 biennium in
5 accordance with RCW 82.14.310. This funding is provided to counties
6 for the costs of implementing criminal justice legislation including,
7 but not limited to: Chapter 206, Laws of 1998 (drunk driving
8 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
9 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998
10 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
11 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
12 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
13 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
14 215, Laws of 1998 (DUI provisions).

15 **Sec. 1705.** 2007 c 522 s 803 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE TREASURER--FOR THE MUNICIPAL CRIMINAL JUSTICE ASSISTANCE**
18 **ACCOUNT**

19 Impaired Driving Safety Account Appropriation ((~~\$1,449,000~~))
20 \$2,033,000

21 The appropriation in this section is subject to the following
22 conditions and limitations: The amount appropriated in this section
23 shall be distributed quarterly during the 2007-09 biennium to all
24 cities ratably based on population as last determined by the office of
25 financial management. The distributions to any city that substantially
26 decriminalizes or repeals its criminal code after July 1, 1990, and
27 that does not reimburse the county for costs associated with criminal
28 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
29 which the city is located. This funding is provided to cities for the
30 costs of implementing criminal justice legislation including, but not
31 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
32 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
33 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
34 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
35 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
36 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels

1 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
2 Laws of 1998 (DUI provisions).

(End of part)

1 administered by the college board. The college faculty awards trust
2 fund hereby created shall be administered by the state treasurer.

3 (2) Funds appropriated by the legislature for the community and
4 technical college exceptional faculty awards program shall be deposited
5 in the college faculty awards trust fund. At the request of the
6 college board, the treasurer shall release the state matching funds to
7 the local endowment fund of the college or its foundation. No
8 appropriation is necessary for the expenditure of moneys from the fund.
9 Expenditures from the fund may be used solely for the exceptional
10 faculty awards program. During the 2007-2009 fiscal biennium, the
11 legislature may transfer from the college faculty awards trust fund to
12 the state general fund such amounts as reflect the excess fund balance
13 in the account.

14 **Sec. 1804.** RCW 28B.67.030 and 2006 c 112 s 8 are each amended to
15 read as follows:

16 (1) All payments received from a participant in the Washington
17 customized employment training program created in RCW 28B.67.020 shall
18 be deposited into the employment training finance account, which is
19 hereby created in the custody of the state treasurer. Only the state
20 board for community and technical colleges may authorize expenditures
21 from the account and no appropriation is required for expenditures.
22 The money in the account must be used solely for training allowances
23 under the Washington customized employment training program created in
24 RCW 28B.67.020. The deposit of payments under this section from a
25 participant shall cease when the board specifies that the participant
26 has met the monetary obligations of the program. During the 2007-2009
27 fiscal biennium, the legislature may transfer from the employment
28 training finance account to the state general fund such amounts as
29 reflect the excess fund balance in the account.

30 (2) All revenue solicited and received under the provisions of RCW
31 28B.67.020(4) shall be deposited into the employment training finance
32 account to provide training allowances.

33 (3) The definitions in RCW 28B.67.010 apply to this section.

34 (4) This section expires July 1, 2012.

35 **Sec. 1805.** RCW 28B.76.565 and 2004 c 275 s 20 are each amended to
36 read as follows:

1 Funds appropriated by the legislature for the distinguished
2 professorship program shall be deposited in the distinguished
3 professorship trust fund. At the request of the higher education
4 coordinating board under RCW 28B.76.575, the treasurer shall release
5 the state matching funds to the designated institution's local
6 endowment fund. No appropriation is required for expenditures from the
7 fund. During the 2007-2009 fiscal biennium, the legislature may
8 transfer from the distinguished professorship trust fund to the state
9 general fund such amounts as reflect the excess fund balance in the
10 account.

11 **Sec. 1806.** RCW 28B.76.610 and 2004 c 275 s 22 are each amended to
12 read as follows:

13 Funds appropriated by the legislature for the graduate fellowship
14 program shall be deposited in the graduate fellowship trust fund. At
15 the request of the higher education coordinating board under RCW
16 28B.76.620, the treasurer shall release the state matching funds to the
17 designated institution's local endowment fund. No appropriation is
18 required for expenditures from the fund. During the 2007-2009 fiscal
19 biennium, the legislature may transfer from the graduate fellowship
20 trust fund to the state general fund such amounts as reflect the excess
21 fund balance in the account.

22 **Sec. 1807.** RCW 28B.105.110 and 2008 c 329 s 908 are each amended
23 to read as follows:

24 (1) The GET ready for math and science scholarship account is
25 created in the custody of the state treasurer.

26 (2) The board shall deposit into the account all money received for
27 the GET ready for math and science scholarship program from
28 appropriations and private sources. The account shall be
29 self-sustaining.

30 (3) Expenditures from the account shall be used for scholarships to
31 eligible students and for purchases of GET units. Purchased GET units
32 shall be owned and held in trust by the board. Expenditures from the
33 account shall be an equal match of state appropriations and private
34 funds raised by the program administrator. During the 2007-09 fiscal
35 biennium, expenditures from the account not to exceed five percent may

1 be used by the program administrator to carry out the provisions of RCW
2 28B.105.090.

3 (4) With the exception of the operating costs associated with the
4 management of the account by the treasurer's office as authorized in
5 chapter 43.79A RCW, the account shall be credited with all investment
6 income earned by the account.

7 (5) Disbursements from the account are exempt from appropriations
8 and the allotment provisions of chapter 43.88 RCW.

9 (6) Disbursements from the account shall be made only on the
10 authorization of the board.

11 (7) During the 2007-2009 fiscal biennium, the legislature may
12 transfer state appropriations to the GET ready for math and science
13 scholarship account that have not been matched by private contributions
14 to the state general fund.

15 **Sec. 1808.** RCW 41.45.230 and 2008 c 329 s 910 are each amended to
16 read as follows:

17 The pension funding stabilization account is created in the state
18 treasury. Moneys in the account may be spent only after appropriation.
19 Expenditures from the account may be used only for payment of state
20 government employer contributions for members of the public employees'
21 retirement system, the teachers' retirement system, the school
22 employees' retirement system, and the public safety employees'
23 retirement system. During the 2007-09 fiscal biennium, expenditures
24 from the account may also be used for payment of the retirement and
25 annuity plans for higher education employees and for transfer into the
26 general fund. The account may not be used to pay for any new benefit
27 or for any benefit increase that takes effect after July 1, 2005. An
28 increase that is provided in accordance with a formula that is in
29 existence on July 1, 2005, is not considered a benefit increase for
30 this purpose. Moneys in the account shall be for the exclusive use of
31 the specified retirement systems and invested by the state investment
32 board pursuant to RCW 43.33A.030 and 43.33A.170. For purposes of RCW
33 43.135.035, expenditures from the pension funding stabilization account
34 shall not be considered a state program cost shift from the state
35 general fund to another account. During the 2007-2009 fiscal biennium,
36 the legislature may transfer from the pension funding stabilization

1 account to the state general fund such amounts as reflect the excess
2 fund balance of the account.

3 **Sec. 1809.** RCW 43.30.305 and 2005 c 518 s 928 are each amended to
4 read as follows:

5 A revolving fund in the custody of the state treasurer, to be known
6 as the natural resources equipment fund, is hereby created to be
7 expended by the department without appropriation solely for the
8 purchase of equipment, machinery, and supplies for the use of the
9 department and for the payment of the costs of repair and maintenance
10 of such equipment, machinery, and supplies. During the ((2005-2007))
11 2007-2009 fiscal biennium the legislature may transfer such amounts as
12 represent the excess balance of the fund to the state general fund.

13 **Sec. 1810.** RCW 71.24.310 and 2006 c 333 s 107 are each amended to
14 read as follows:

15 The legislature finds that administration of chapter 71.05 RCW and
16 this chapter can be most efficiently and effectively implemented as
17 part of the regional support network defined in RCW 71.24.025. For
18 this reason, the legislature intends that the department and the
19 regional support networks shall work together to implement chapter
20 71.05 RCW as follows:

21 (1) By June 1, 2006, regional support networks shall recommend to
22 the department the number of state hospital beds that should be
23 allocated for use by each regional support network. The statewide
24 total allocation shall not exceed the number of state hospital beds
25 offering long-term inpatient care, as defined in this chapter, for
26 which funding is provided in the biennial appropriations act.

27 (2) If there is consensus among the regional support networks
28 regarding the number of state hospital beds that should be allocated
29 for use by each regional support network, the department shall contract
30 with each regional support network accordingly.

31 (3) If there is not consensus among the regional support networks
32 regarding the number of beds that should be allocated for use by each
33 regional support network, the department shall establish by emergency
34 rule the number of state hospital beds that are available for use by
35 each regional support network. The emergency rule shall be effective
36 September 1, 2006. The primary factor used in the allocation shall be

1 the estimated number of (~~acutely and chronically mentally ill~~) adults
2 with acute and chronic mental illness in each regional support network
3 area, based upon population-adjusted incidence and utilization.

4 (4) The allocation formula shall be updated at least every three
5 years to reflect demographic changes, and new evidence regarding the
6 incidence of acute and chronic mental illness and the need for long-
7 term inpatient care. In the updates, the statewide total allocation
8 shall include (a) all state hospital beds offering long-term inpatient
9 care for which funding is provided in the biennial appropriations act;
10 plus (b) the estimated equivalent number of beds or comparable
11 diversion services contracted in accordance with subsection (5) of this
12 section.

13 (5) The department is encouraged to enter performance-based
14 contracts with regional support networks to provide some or all of the
15 regional support network's allocated long-term inpatient treatment
16 capacity in the community, rather than in the state hospital. The
17 performance contracts shall specify the number of patient days of care
18 available for use by the regional support network in the state
19 hospital.

20 (6) If a regional support network uses more state hospital patient
21 days of care than it has been allocated under subsection (3) or (4) of
22 this section, or than it has contracted to use under subsection (5) of
23 this section, whichever is less, it shall reimburse the department for
24 that care. The reimbursement rate per day shall be the hospital's
25 total annual budget for long-term inpatient care, divided by the total
26 patient days of care assumed in development of that budget.

27 (7) One-half of any reimbursements received pursuant to subsection
28 (6) of this section shall be used to support the cost of operating the
29 state hospital and, during the 2007-2009 fiscal biennium, implementing
30 new services that will enable a regional support network to reduce its
31 utilization of the state hospital. The department shall distribute the
32 remaining half of such reimbursements among regional support networks
33 that have used less than their allocated or contracted patient days of
34 care at that hospital, proportional to the number of patient days of
35 care not used.

36 NEW SECTION. **Sec. 1811.** If any provision of this act or its

1 application to any person or circumstance is held invalid, the
2 remainder of the act or the application of the provision to other
3 persons or circumstances is not affected.

4 NEW SECTION. **Sec. 1812.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 immediately.

(End of bill)

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