

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6074

Chapter 2, Laws of 2012

(partial veto)

62nd Legislature
2012 2nd Special Session

SUPPLEMENTAL CAPITAL BUDGET

EFFECTIVE DATE: 04/23/12

Passed by the Senate April 11, 2012
YEAS 44 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House April 11, 2012
YEAS 85 NAYS 13

FRANK CHOPP

Speaker of the House of Representatives

Approved April 23, 2012, 2:12 p.m., with
the exception of Sections 1020, 3017,
6001(5)(b), and 6002 which are vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **ENGROSSED SENATE
BILL 6074** as passed by the Senate
and the House of Representatives
on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 24, 2012

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6074

Passed Legislature - 2012 2nd Special Session

State of Washington 62nd Legislature 2012 2nd Special Session

By Senators Kilmer, Parlette, and Shin; by request of Governor Gregoire
Read first time 01/11/12. Referred to Committee on Ways & Means.

1 AN ACT Relating to funding capital projects; amending RCW
2 43.155.050, 79.17.010, 79.17.020, and 79.105.150; amending 2011 1st
3 sp.s. c 49 ss 1011, 1028, 1024, 1017, 1036, 1046, 1047, 1054, 2027,
4 2034, 3027, 3008, 3028, 3070, 3108, 5002, 5008, 5009, 5004, 5006, 5022,
5 5030, 5070, 5082, and 5088 (uncodified); amending 2011 1st sp.s. c 48
6 ss 1018, 2005, 2006, 3024, 3025, 3036, 3083, 5003, 5007, 5006, 5014,
7 5027, 5022, 5040, and 7011 (uncodified); reenacting and amending RCW
8 70.105D.070; adding new sections to 2011 1st sp.s. c 49 (uncodified);
9 adding new sections to 2011 1st sp.s. c 48 (uncodified); creating new
10 sections; making appropriations; and declaring an emergency.

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

12 NEW SECTION. **Sec. 1.** A supplemental capital budget is hereby
13 adopted and, subject to the provisions set forth in this act, the
14 several dollar amounts hereinafter specified, or so much thereof as
15 shall be sufficient to accomplish the purposes designated, are hereby
16 appropriated and authorized to be incurred for capital projects during
17 the period beginning with the effective date of this act and ending
18 June 30, 2013, out of the several funds specified in this act.

PART 1

GENERAL GOVERNMENT

Sec. 1001. 2011 1st sp.s. c 49 s 1011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (20084001)

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

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

(2) The reappropriation is subject to the provisions of section 1008, chapter 328, Laws of 2008 and section 1003, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State	((\$18,387,000))
	<u>\$18,477,000</u>
Prior Biennia (Expenditures)	((\$106,757,000))
	<u>\$106,667,000</u>
Future Biennia (Projected Costs) . . . . .	.\$0
TOTAL	\$125,144,000

Sec. 1002. 2011 1st sp.s. c 49 s 1028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (30000166)

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

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

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does

1 not apply to appropriations for preconstruction activities or
2 appropriations whose sole purpose is to purchase real property that
3 does not include a construction or renovation component.

4 (3) Projects funded in this section may be required to comply with
5 Washington's high performance building standards as required by chapter
6 39.35D RCW.

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

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

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

15 (7) The appropriation in this section for the Roslyn Renaissance
16 project is subject to the following conditions and limitations: It is
17 the intent of this appropriation to undertake a feasibility study of
18 structural and program integrity of historic buildings including (a)
19 the northwest improvement company store, (b) the Sylvia's house, and
20 (c) vacant commercial lots within the city of Roslyn. The study will
21 analyze the adaptability of relocating the city offices to the
22 renovated city hall building. The Roslyn downtown association shall
23 submit the completed study to the department by July 1, 2012, including
24 a detailed cost estimate for the property acquisition and
25 redevelopment, and a capital fundraising plan to support the
26 acquisitions through multiple funding sources.

27 (8) The appropriation is provided solely for the following list of
28 projects:

29	Project	Authorized
30		Amount
31	Adna Athletic and Fitness Facility	\$80,000
32	American Lake Veterans' Golf	\$250,000
33	Course	
34	Anacortes Depot	\$380,000

1	Bothell North Creek Forest Land	\$200,000
2	Acquisition	
3	Boys and Girls Federal Way	\$50,000
4	Bucoda Odd Fellows Community	\$150,000
5	Center	
6	Central WA State Fair	\$35,000
7	Association	
8	City of Kirkland Athletic Fields	\$150,000
9	Colville Tribal Museum	\$250,000
10	Daybreak Youth Services Pre-	\$100,000
11	Construction Activities	
12	Dekalb Pier Project	\$700,000
13	Gig Harbor Maritime Pier	\$390,000
14	Grays Harbor Historical Seaport	\$169,000
15	Lady Washington Rehabilitation	
16	Legion Park Visitors Center and	\$110,000
17	Trailhead Project	
18	Match FEMA funds for Sprague	\$300,000
19	Response Center	
20	North Mason Senior Center	\$1,360,000
21	Port of Bremerton	\$1,100,000
22	Puyallup Transit Oriented	\$1,500,000
23	Development	
24	Redmond Central Connector	\$850,000
25	Roslyn Renaissance	\$300,000
26	Seattle Children's Hospital	\$1,000,000
27	Emergency Department	
28	Skagit Valley Hospital	\$750,000
29	South Tacoma Community Center	\$380,000
30	Playground	
31	Spokane Food Bank Distribution	\$1,250,000
32	Center Capacity and Renovation	
33	Spokane Valley Partners Boiler	\$100,000
34	Replacement	
35	Sultan Boys and Girls Club	\$500,000
36	Tacoma Hilltop Health Center	\$1,500,000
37	The Arc of Tri-Cities Facility	\$350,000

1	Traumatic Brain Injury Center	\$900,000
2	Vancouver Waterfront Park Pre-	\$500,000
3	Construction Activities	
4	Veteran's Memorial	\$210,000
5	West Hill Skyway	\$750,000
6	Redevelopment	
7	YWCA Yakima	\$203,000
8	Total	\$16,817,000

9 (9) Up to \$80,000 of the Roslyn Renaissance project authorized
10 amount may be used to acquire Sylvia House.

11 Appropriation:

12	State Building Construction Account--State	\$16,817,000
13	Prior Biennia (Expenditures) . . . . .	.\$0
14	Future Biennia (Projected Costs) . . . . .	.\$0
15	TOTAL	\$16,817,000

16 NEW SECTION. Sec. 1003. A new section is added to 2011 1st sp.s.
17 c 49 (uncodified) to read as follows:

18 **FOR THE DEPARTMENT OF COMMERCE**

19 Local and Community Projects 2012 (91000437)

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

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

29 (2) Prior to receiving funds, project recipients must demonstrate
30 that the project site is under control for a minimum of ten years,
31 either through ownership or a long-term lease. This requirement does
32 not apply to appropriations for preconstruction activities or
33 appropriations whose sole purpose is to purchase real property that
34 does not include a construction or renovation component.

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

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

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

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

12 (7) The appropriation is provided solely for the following list of
13 projects:

14	Project	Authorized
15		Amount
16	Low Income Housing Institute -	\$1,800,000
17	Housing for Homeless Young	
18	Adults	
19	Roslyn Northwest Improvement	\$1,035,000
20	Building	
21	Total	\$2,835,000

22 Appropriation:

23	State Taxable Building Construction Account--State . . .	\$1,800,000
24	State Building Construction Account--State	\$1,035,000
25	Subtotal Appropriation	\$2,835,000
26	Prior Biennia (Expenditures)	\$0
27	Future Biennia (Projected Costs)	\$0
28	TOTAL	\$2,835,000

29 **Sec. 1004.** 2011 1st sp.s. c 49 s 1024 (uncodified) is amended to
30 read as follows:

31 **FOR THE DEPARTMENT OF COMMERCE**
32 Temporary Public Works Grant Program (92000021)

33 The reappropriation in this section is subject to the provisions of
34 section 1050, chapter 497, Laws of 2009.

1	Reappropriation:	
2	State Building Construction Account--State	\$17,106,000
3	State Taxable Building Construction Account--	
4	State	((\$1,298,000))
5		<u>\$328,000</u>
6	Subtotal Reappropriation	((\$18,404,000))
7		<u>\$17,434,000</u>
8	Prior Biennia (Expenditures)	\$23,936,000
9	Future Biennia (Projected Costs) . . . . .	.\$0
10	TOTAL	((\$42,340,000))
11		<u>\$41,370,000</u>

12 NEW SECTION. Sec. 1005. A new section is added to 2011 1st sp.s.
13 c 48 (uncodified) to read as follows:

14 **FOR THE DEPARTMENT OF COMMERCE**

15 CERB Administered Economic Development, Innovation & Export Grants
16 (92000096)

17 The appropriations in this section are subject to the following
18 conditions and limitations: The appropriation is provided solely for
19 a competitive economic development and community revitalization grant
20 program administered by the community economic revitalization board
21 (board) in consultation with the public works board and for the
22 economic development projects specified in subsection (2) of this
23 section.

24 (1) The intent of the competitive program is to provide grants to
25 local governments, including ports, and innovation partnership zones
26 for public infrastructure, facilities, and related improvements that
27 enable and encourage private sector business creation or expansion, the
28 redevelopment of brownfields, and to enhance the vitality and
29 livability of the community. The board shall establish all grant
30 application requirements. The board may choose to establish two
31 separate grant competitions for the economic development projects and
32 the community revitalization projects.

33 (2) The boards shall prioritize economic development grants by
34 considering at a minimum the following criteria:

35 (a) The number of jobs created by the expected business creation or
36 expansion and the average wage of those expected jobs. In evaluating

1 proposals for their job creation potential, the board may adjust the
2 job estimates in applications based on the board's judgment of the
3 credibility of the job estimates;

4 (b) The board shall also consider the need for job creation based
5 on the unemployment rate of the county or counties in which the project
6 is located. In evaluating the average wages of the jobs created, the
7 board shall compare those wages to median wages of private sector jobs
8 in the county or counties surrounding the project location;

9 (c) When evaluating the jobs created by the project, the board may
10 consider the area labor supply and readily available skill sets of the
11 labor pool in the county or counties surrounding the project location;

12 (d) How the expected business creation or expansion fits within the
13 region's preferred economic growth strategy as indicated by the efforts
14 of nearby innovation partnership zones, industry clusters as defined by
15 the Washington Economic Development Commission, future export
16 prospects, or local government equivalent if available;

17 (e) The speed with which the project can begin construction;

18 (f) The extent that the final list of grant awards provides broad
19 geographic distribution, leverages nonstate funds, and achieves overall
20 the greatest benefit in job creation at good wages for the amount of
21 money provided;

22 (g) In no event shall the board award a grant that supplants
23 previously committed project resources.

24 (3) The board shall prioritize community revitalization grants by
25 considering at a minimum the following criteria:

26 (a) The value of the project to the community. In evaluating the
27 value of the project, the board shall, at a minimum, consider the
28 difficulty the applicant has in financing main street improvement
29 projects with their own local resources and the extent the project will
30 increase economic activity for existing businesses, improve safety and
31 enjoyment of pedestrians and bicyclists, enhance in-city recreational
32 opportunities, and revitalize downtown business districts.

33 (b) The extent to which businesses and local governments in the
34 affected area support the project;

35 (c) Whether or not the project is in the local government's adopted
36 capital facility plan, comprehensive plan, or equivalent. Additional
37 consideration is given to projects located within one of the
38 aforementioned plans;

1 (d) The extent to which the project promotes infill and
2 redevelopment of the downtown area;

3 (e) The speed with which the project can begin construction;

4 (f) The extent that the final list of grant awards provides broad
5 geographic distribution, leverages nonstate funds, and achieves overall
6 the greatest benefit for the amount of money provided;

7 (g) The extent to which the applicant demonstrates the ability to
8 maintain the project funded through the grant program;

9 (h) In no event shall the board award a grant that supplants
10 previously committed project resources.

11 (4) \$4,000,000 of the appropriation is provided solely for the
12 Satsop wastewater improvement project.

13 Appropriation:

14	Public Works Assistance Account--State	\$16,000,000
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs) . . . . .	.\$0
17	TOTAL	\$16,000,000

18 NEW SECTION. Sec. 1006. A new section is added to 2011 1st sp.s.
19 c 48 (uncodified) to read as follows:

20 **FOR THE DEPARTMENT OF COMMERCE**

21 Brownfield Redevelopment Grants (92000100)

22 The appropriation in this section is subject to the following
23 conditions and limitations: The appropriation in this section is
24 provided solely for redevelopment of the Bellingham waterfront.

25 Appropriation:

26	Local Toxics Control Account--State	\$1,500,000
27	Prior Biennia (Expenditures) . . . . .	.\$0
28	Future Biennia (Projected Costs) . . . . .	.\$0
29	TOTAL	\$1,500,000

30 NEW SECTION. Sec. 1007. A new section is added to 2011 1st sp.s.
31 c 48 (uncodified) to read as follows:

32 **FOR THE DEPARTMENT OF COMMERCE**

33 Main Street Improvement Grants (92000098)

1 The appropriation in this section is subject to the following
2 conditions and limitations: The appropriation in this section is
3 provided solely for the Scriber Creek pedestrian bridge project.

4 Appropriation:

5	Public Works Assistance Account--State	\$800,000
6	Prior Biennia (Expenditures)	\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	\$800,000

9 **Sec. 1008.** 2011 1st sp.s. c 48 s 1018 (uncodified) is amended to
10 read as follows:

11 **FOR THE DEPARTMENT OF COMMERCE**

12 Drinking Water State Revolving Fund Loan Program (30000095)

13 The appropriations in this section are subject to the following
14 conditions and limitations: For projects involving repair,
15 replacement, or improvement of a clean water infrastructure facility or
16 other public works facility for which an investment grade audit is
17 obtainable, the public works board must require as a contract condition
18 that the project sponsor undertake an investment grade audit. The
19 project sponsor may finance the costs of the audit as part of its
20 drinking water state revolving fund program loan.

21 Appropriation:

22	Drinking Water Assistance Account--State	\$16,000,000
23	Drinking Water Assistance Repayment Account--	
24	State	((\$32,000,000))
25		<u>\$92,000,000</u>
26	Subtotal Appropriation	((\$48,000,000))
27		<u>\$108,000,000</u>
28	Prior Biennia (Expenditures)	\$0
29	Future Biennia (Projected Costs)	\$192,000,000
30	TOTAL	((\$240,000,000))
31		<u>\$300,000,000</u>

32 NEW SECTION. **Sec. 1009.** A new section is added to 2011 1st sp.s.
33 c 49 (uncodified) to read as follows:

34 **FOR THE DEPARTMENT OF COMMERCE**

35 Housing for People with Developmental Disabilities (91000410)

1 The appropriation in this section is subject to the following
 2 conditions and limitations: The appropriation in this section is
 3 provided for the ranked list of projects in the category "Housing for
 4 People with Developmental Disabilities" in LEAP capital document No.
 5 2012-7A, developed April 3, 2012. The department shall evaluate
 6 projects on the LEAP list and allocate the funding based on the
 7 requirements of RCW 43.185.050 and 43.185.070. Upon review of a
 8 completed application, if the department determines that a project is
 9 not eligible or is not ready to proceed, the department may allocate
 10 funding to a project in another category on the LEAP list, or to any
 11 type of alternate project. The department shall, at its discretion,
 12 determine the actual amount of funding to be allocated to each project,
 13 provided that the total allocation does not exceed the appropriation
 14 provided in this section.

15 Appropriation:

16	State Taxable Building Construction	
17	Account--State	\$2,900,000
18	Prior Biennia (Expenditures) . . . . .	.\$0
19	Future Biennia (Projected Costs) . . . . .	.\$0
20	TOTAL	\$2,900,000

21 NEW SECTION. Sec. 1010. A new section is added to 2011 1st sp.s.
 22 c 49 (uncodified) to read as follows:

23 **FOR THE DEPARTMENT OF COMMERCE**

24 Housing for People with Chronic Mental Illness (91000412)

25 The appropriation in this section is subject to the following
 26 conditions and limitations: The appropriation in this section is
 27 provided for the ranked list of projects in the category "Housing for
 28 People with Chronic Mental Illness" in LEAP capital document No.
 29 2012-7A, developed April 3, 2012. The department shall evaluate
 30 projects on the LEAP list and allocate the funding based on the
 31 requirements of RCW 43.185.050 and 43.185.070. Upon review of a
 32 completed application, if the department determines that a project is
 33 not eligible or is not ready to proceed, the department may allocate
 34 funding to a project in another category on the LEAP list, or to any
 35 type of alternate project. The department shall, at its discretion,

1 determine the actual amount of funding to be allocated to each project,
2 provided that the total allocation does not exceed the appropriation
3 provided in this section.

4 Appropriation:

5	State Taxable Building Construction	
6	Account--State	\$1,125,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs) . . . . .	.\$0
9	TOTAL	\$1,125,000

10 NEW SECTION. Sec. 1011. A new section is added to 2011 1st sp.s.
11 c 49 (uncodified) to read as follows:

12 **FOR THE DEPARTMENT OF COMMERCE**

13 Housing for the Homeless (91000413)

14 The appropriation in this section is subject to the following
15 conditions and limitations: The appropriation in this section is
16 provided for the ranked list of projects in the category "Housing for
17 the Homeless" in LEAP capital document No. 2012-7A, developed April 3,
18 2012. The department shall evaluate projects on the LEAP list and
19 allocate the funding based on the requirements of RCW 43.185.050 and
20 43.185.070. Upon review of a completed application, if the department
21 determines that a project is not eligible or is not ready to proceed,
22 the department may allocate funding to a project in another category on
23 the LEAP list, or to any type of alternate project. The department
24 shall, at its discretion, determine the actual amount of funding to be
25 allocated to each project, provided that the total allocation does not
26 exceed the appropriation provided in this section.

27 Appropriation:

28	State Taxable Building Construction	
29	Account--State	\$28,944,000
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs) . . . . .	.\$0
32	TOTAL	\$28,944,000

33 NEW SECTION. Sec. 1012. A new section is added to 2011 1st sp.s.
34 c 49 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF COMMERCE**

2 Housing for Farmworkers (91000414)

3 The appropriation in this section is subject to the following
4 conditions and limitations: The appropriation in this section is
5 provided for the ranked list of projects in the category "Housing for
6 Farmworkers" in LEAP capital document No. 2012-7A, developed April 3,
7 2012. The department shall evaluate projects on the LEAP list and
8 allocate the funding based on the requirements of RCW 43.185.050 and
9 43.185.070. Upon review of a completed application, if the department
10 determines that a project is not eligible or is not ready to proceed,
11 the department may allocate funding to a project in another category on
12 the LEAP list, or to any type of alternate project. The department
13 shall, at its discretion, determine the actual amount of funding to be
14 allocated to each project, provided that the total allocation does not
15 exceed the appropriation provided in this section.

16 Appropriation:

17	State Taxable Building Construction	
18	Account--State	\$6,215,000
19	Prior Biennia (Expenditures) . . . . .	.\$0
20	Future Biennia (Projected Costs) . . . . .	.\$0
21	TOTAL	\$6,215,000

22 NEW SECTION. **Sec. 1013.** A new section is added to 2011 1st sp.s.
23 c 49 (uncodified) to read as follows:

24 **FOR THE DEPARTMENT OF COMMERCE**

25 Housing for Low-Income Households (91000416)

26 The appropriation in this section is subject to the following
27 conditions and limitations: The appropriation in this section is
28 provided for the ranked list of projects in the category "Housing for
29 Low Income Households" in LEAP capital document No. 2012-7A, developed
30 April 3, 2012. The department shall evaluate projects on the LEAP list
31 and allocate the funding based on the requirements of RCW 43.185.050
32 and 43.185.070. Upon review of a completed application, if the
33 department determines that a project is not eligible or is not ready to
34 proceed, the department may allocate funding to a project in another
35 category on the LEAP list, or to any type of alternate project. The

1 department shall, at its discretion, determine the actual amount of
2 funding to be allocated to each project, provided that the total
3 allocation does not exceed the appropriation provided in this section.

4 **Appropriation:**

5	State Taxable Building Construction Account--State . . .	\$2,982,000
6	Prior Biennia (Expenditures) . . . . .	.\$0
7	Future Biennia (Projected Costs) . . . . .	.\$0
8	TOTAL	\$2,982,000

9 NEW SECTION. **Sec. 1014.** A new section is added to 2011 1st sp.s.
10 c 49 (uncodified) to read as follows:

11 **FOR THE DEPARTMENT OF COMMERCE**

12 Housing Competitive Pool (91000432)

13 The appropriation in this section is subject to the following
14 conditions and limitations: \$1,500,000 of the appropriation is
15 provided solely for a demonstration project that supports homeless
16 individuals with low cost living quarters and shared facilities such as
17 kitchens, showers, and community meeting space. The project must meet
18 all local zoning requirements and have the support of the local
19 jurisdiction in which it is located. The department must require the
20 project to report cost and outcome measures after the first five years
21 of operation, and must report this information to the appropriate
22 committees of the legislature.

23 **Appropriation:**

24	State Taxable Building Construction Account--State . . .	\$4,530,000
25	Prior Biennia (Expenditures) . . . . .	.\$0
26	Future Biennia (Projected Costs) . . . . .	.\$0
27	TOTAL	\$4,530,000

28 NEW SECTION. **Sec. 1015.** A new section is added to 2011 1st sp.s.
29 c 49 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF COMMERCE**

31 Weatherization (91000247)

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

1 (1) \$10,000,000 of the appropriation in this section is provided
2 solely for low-income weatherization through the energy matchmakers
3 program.

4 (2) \$15,000,000 of the appropriation in this section is provided
5 solely for continuation of the community energy efficiency program
6 administered by WSU energy extension.

7 Appropriation:

8	State Taxable Building Construction Account--	
9	State	\$25,000,000
10	Prior Biennia (Expenditures)	\$0
11	Future Biennia (Projected Costs)	\$0
12	TOTAL	\$25,000,000

13 NEW SECTION. **Sec. 1016.** A new section is added to 2011 1st sp.s.
14 c 48 (uncodified) to read as follows:

15 **FOR THE DEPARTMENT OF COMMERCE**

16 Public Works Assistance Account Program 2013 Loan List (30000184)

17 The appropriation in this section is subject to the following
18 conditions and limitations: The appropriation is provided solely for
19 the list of projects in LEAP capital document No. 2012-1B, developed
20 February 18, 2012.

21 Appropriation:

22	Public Works Assistance Account--State	\$152,781,000
23	Prior Biennia (Expenditures)	\$0
24	Future Biennia (Projected Costs)	\$0
25	TOTAL	\$152,781,000

26 NEW SECTION. **Sec. 1017.** A new section is added to 2011 1st sp.s.
27 c 48 (uncodified) to read as follows:

28 **FOR THE DEPARTMENT OF COMMERCE**

29 Public Works Pre-Construction Loan Program (91000319)

30 Appropriation:

31	Public Works Assistance Account--State	\$3,000,000
32	Prior Biennia (Expenditures)	\$0
33	Future Biennia (Projected Costs)	\$0
34	TOTAL	\$3,000,000

1 NEW SECTION. **Sec. 1018.** A new section is added to 2011 1st sp.s.
2 c 48 (uncodified) to read as follows:

3 **FOR THE DEPARTMENT OF COMMERCE**

4 Financing Energy/Water Efficiency (30000180)

5 Appropriation:

6	Public Works Assistance Account--State	\$5,000,000
7	Prior Biennia (Expenditures)	\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$5,000,000

10 **Sec. 1019.** 2011 1st sp.s. c 49 s 1017 (uncodified) is amended to
11 read as follows:

12 **FOR THE DEPARTMENT OF COMMERCE**

13 Youth Recreational Facilities Grants (30000007)

14 The reappropriation in this section is subject to the following
15 conditions and limitations: Funding for the Allen Place project is
16 reduced by \$673,000.

17 Reappropriation:

18	State Building Construction Account--State	(\$2,774,000)
19		<u>\$2,101,000</u>
20	Prior Biennia (Expenditures)	\$3,776,000
21	Future Biennia (Projected Costs)	\$0
22	TOTAL	(\$6,550,000)
23		<u>\$5,877,000</u>

24 ***NEW SECTION.** **Sec. 1020.** A new section is added to 2011 1st sp.s.
25 c 48 (uncodified) to read as follows:

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

27 **Loan Program Consolidation Board (91000005)**

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

30 **(1) The legislature intends to consolidate under a single financing**
31 **authority all existing state lending programs currently dispersed under**
32 **the management of separate agencies, including, but not limited to,**
33 **infrastructure and student loan programs. The purposes of this**
34 **consolidation are to: Increase the effective and accountable use of**

1 state resources; increase efficiency and decrease costs through
2 economies of scale; and streamline access for customers to financial
3 and technical assistance.

4 (2)(a) To assist the legislature in planning for this
5 consolidation, a loan program consolidation board is established, with
6 members as provided in this subsection:

7 (i) The speaker of the house of representatives shall appoint one
8 member from each of the two largest caucuses of the house of
9 representatives, as voting members.

10 (ii) The president of the senate shall appoint one member from each
11 of the two largest caucuses of the senate, as voting members.

12 (iii) The speaker of the house and the president of the senate
13 jointly shall appoint five citizen members with backgrounds in the
14 financing of infrastructure and student loans, as voting members.

15 (b) The board shall choose its chair or cochairs from among its
16 membership. The director of the office of financial management shall
17 convene the initial meeting of the board.

18 (c) Staff support for the board shall be provided by the office of
19 financial management, the house of representatives office of program
20 research and the senate committee services. The relevant state
21 agencies must provide technical assistance as the board may reasonably
22 request.

23 (d) Legislative members of the loan program consolidation board
24 must be reimbursed for travel expenses in accordance with RCW
25 44.04.120. Nonlegislative members, except those representing an
26 employer or organization, are entitled to be reimbursed for travel
27 expenses in accordance with RCW 43.03.050 and 43.03.060.

28 (3) The following agencies shall each designate a representative to
29 provide information to the board and participate in its discussions:
30 The office of financial management; the state treasurer; the department
31 of health; the department of ecology; the department of transportation;
32 the public works board; the higher education coordinating board, or
33 successor agency; and the state housing finance commission.

34 (4)(a) By December 15, 2012, the loan program consolidation board
35 shall develop and submit to the governor and appropriate legislative
36 committees a recommended consolidation plan that includes, but is not
37 limited to, infrastructure and educational lending programs

1 administered by the departments of commerce, health, and ecology; the
2 housing finance commission; the office of the state treasurer; and the
3 higher education coordinating board, or successor agency.

4 (b) The plan must include recommendations on: The organizational
5 structure for the umbrella authority; the process and timeline for
6 transferring existing programs and adding new programs to the umbrella
7 authority; and any statutory and budgetary changes necessary to
8 implement the plan in the 2013-2015 biennium, and thereafter.

9 (c) The plan must also include recommendations on sources of
10 capital that could be used to make low-interest educational loans to
11 students under the higher education loan program (HELP) authorized in
12 RCW 28B.97.010.

13 (5) The appropriation in this section is provided solely for:

14 (a) Contracting with additional persons who have specific technical
15 expertise to carry out the requirements of this section; and

16 (b) Paying travel expenses of nonlegislative members of the loan
17 program consolidation board.

18 **Appropriation:**

19	Public Works Assistance Account--State	\$150,000
20	Prior Biennia (Expenditures)	\$0
21	Future Biennia (Projected Costs)	\$0
22	TOTAL	\$150,000

*Sec. 1020 was vetoed. See message at end of chapter.

23 **Sec. 1021.** 2011 1st sp.s. c 49 s 1036 (uncodified) is amended to
24 read as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

26 Bid Savings Contingency Pool (92000002)

27 **Appropriation:**

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

34 **Sec. 1022.** 2011 1st sp.s. c 49 s 1046 (uncodified) is amended to
35 read as follows:

1 **FOR THE DEPARTMENT OF ((GENERAL ADMINISTRATION)) ENTERPRISE SERVICES**

2 Engineering and Architectural Services: Staffing (91000005)

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

5 Up to \$75,000 is for the department of enterprise services to
6 conduct a review of the state's current public works procurement
7 processes and provide a report by December 15, 2012, to the appropriate
8 committees of the legislature and the governor with procurement reform
9 recommendations. For recommendations that require a statutory change,
10 the report should include draft legislation needed to accomplish the
11 report's recommendations. The director may contract with a private
12 entity for assistance to conduct the study. The capital projects
13 advisory review board will provide advice and assistance as required by
14 the director. The report will include historical data on (1) the use
15 of change orders; (2) the use of job order contracting; (3) how are
16 competitive public works contracts advertised; and (4) contract
17 closeout procedures. State agencies that will participate include one
18 research university, one natural resource agency, and one general
19 government agency.

20 Appropriation:

21	State Building Construction Account--State	((\$5,282,000))
22		<u>\$7,751,000</u>
23	Prior Biennia (Expenditures)	\$0
24	Future Biennia (Projected Costs)	\$34,250,000
25	TOTAL	((\$39,532,000))
26		<u>\$42,001,000</u>

27 NEW SECTION. Sec. 1023. A new section is added to 2011 1st sp.s.
28 c 49 (uncodified) to read as follows:

29 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

30 Legislative Building Critical Repairs (92000004)

31 Appropriation:

32	State Building Construction Account--State	\$1,400,000
33	Prior Biennia (Expenditures)	\$0
34	Future Biennia (Projected Costs)	\$0
35	TOTAL	\$1,400,000

1 **Sec. 1024.** 2011 1st sp.s. c 49 s 1047 (uncodified) is amended to
2 read as follows:

3 **FOR THE DEPARTMENT OF ((GENERAL ADMINISTRATION)) ENTERPRISE SERVICES**

4 Natural Resource Building Roof Replacement and Exterior Foam
5 Insulation System Repairs (30000546)

6 Appropriation:

7	State Building Construction Account--State	((\$4,482,000))
8		<u>\$982,000</u>
9	Prior Biennia (Expenditures)	\$0
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	((\$4,482,000))
12		<u>\$982,000</u>

13 NEW SECTION. **Sec. 1025.** A new section is added to 2011 1st sp.s.
14 c 48 (uncodified) to read as follows:

15 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

16 Natural Resource Building Roof Replacement and Exterior Foam
17 Insulation System Repairs (30000546)

18 Appropriation:

19	Capitol Building Construction Account--State	\$3,500,000
20	Prior Biennia (Expenditures)	\$0
21	Future Biennia (Projected Costs)	\$0
22	TOTAL	\$3,500,000

23 NEW SECTION. **Sec. 1026.** A new section is added to 2011 1st sp.s.
24 c 48 (uncodified) to read as follows:

25 **FOR THE MILITARY DEPARTMENT**

26 Thurston County Readiness Center (91000005)

27 Appropriation:

28	General Fund--Federal	\$75,000
29	Prior Biennia (Expenditures)	\$0
30	Future Biennia (Projected Costs)	\$0
31	TOTAL	\$75,000

32 **Sec. 1027.** 2011 1st sp.s. c 49 s 1054 (uncodified) is amended to
33 read as follows:

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

2 Courthouse Preservation (30000006)

3 The appropriation in this section is subject to the following
4 conditions and limitations: \$150,000 of the appropriation in this
5 section is provided solely for the Mason County Courthouse Renovation
6 Project.

7 Appropriation:

8	State Building Construction Account--State	\$750,000
9	Prior Biennia (Expenditures)	\$0
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	\$750,000

(End of part)

PART 2
HUMAN SERVICES

Sec. 2001. 2011 1st sp.s. c 48 s 2005 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

Drinking Water Assistance Program (30000013)

The appropriations in this section are subject to the following conditions and limitations: The appropriation from the drinking water assistance account--federal stimulus is provided solely for the city of Tacoma McMillan Reservoir project and the city of Seattle Maple Leaf Reservoir project.

Reappropriation:

Drinking Water Assistance Account--Federal	\$38,348,000
Drinking Water Assistance Account--Federal	
Stimulus	\$9,373,000
Subtotal Reappropriation	\$47,721,000

Appropriation:

Drinking Water Assistance Account--Federal	\$49,868,000
<u>Drinking Water Assistance Account--Federal Stimulus</u>	<u>\$832,000</u>
<u>Subtotal Appropriation</u>	<u>\$50,700,000</u>
Prior Biennia (Expenditures)	\$29,089,000
Future Biennia (Projected Costs)	\$199,472,000
TOTAL	((\$326,150,000))
	<u>\$326,982,000</u>

Sec. 2002. 2011 1st sp.s. c 48 s 2006 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

Minor Works Preservation: Facilities Preservation (90000001)

Appropriation:

Charitable, Educational, Penal and Reformatory	
Institutions Account--State	((\$2,722,000))
	<u>\$0</u>

1	Prior Biennia (Expenditures)	\$0
2	Future Biennia (Projected Costs)	((\$7,728,000))
3		<u>\$0</u>
4	TOTAL	((\$10,450,000))
5		<u>\$0</u>

6 NEW SECTION. Sec. 2003. A new section is added to 2011 1st sp.s.
7 c 49 (uncodified) to read as follows:

8 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

9 Minor Works Preservation: Facilities Preservation (90000001)

10 Appropriation:

11	State Building Construction Account--State	\$2,722,000
12	Prior Biennia (Expenditures)	\$0
13	Future Biennia (Projected Costs)	\$6,008,000
14	TOTAL	\$8,730,000

15 NEW SECTION. Sec. 2004. A new section is added to 2011 1st sp.s.
16 c 48 (uncodified) to read as follows:

17 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

18 Walla Walla Nursing Facility (20082008)

19 Appropriation:

20	General Fund--Federal	\$31,200,000
21	Prior Biennia (Expenditures)	\$0
22	Future Biennia (Projected Costs)	\$0
23	TOTAL	\$31,200,000

24 **Sec. 2005.** 2011 1st sp.s. c 49 s 2027 (uncodified) is amended to
25 read as follows:

26 **FOR THE DEPARTMENT OF CORRECTIONS**

27 Washington State Penitentiary: Housing Units, Kitchen and Site
28 Work (30000482)

29 Reappropriation:

30	State Building Construction Account--State	\$5,810,000
31	Public Safety Reimbursable Bond Account--State	\$546,000
32	Subtotal Reappropriation	\$6,356,000

33 Appropriation:

34	State Building Construction Account--State	((\$42,453,000))
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1		<u>\$40,753,000</u>
2	Prior Biennia (Expenditures)	\$463,000
3	Future Biennia (Projected Costs)	\$0
4	TOTAL	((\$49,272,000))
5		<u>\$47,572,000</u>

6 **Sec. 2006.** 2011 1st sp.s. c 49 s 2034 (uncodified) is amended to
7 read as follows:

8 **FOR THE DEPARTMENT OF CORRECTIONS**

9 New Prison Reception Center (30000570)

10 Appropriation:

11	State Building Construction Account--State	((\$6,200,000))
12		<u>\$0</u>
13	Prior Biennia (Expenditures)	\$0
14	Future Biennia (Projected Costs)	((\$246,181,000))
15		<u>\$252,226,000</u>
16	TOTAL	((\$252,381,000))
17		<u>\$252,226,000</u>

(End of part)

PART 3
NATURAL RESOURCES

Sec. 3001. 2011 1st sp.s. c 49 s 3027 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account--State	((\$2,900,000))
	<u>\$3,648,000</u>
Prior Biennia (Expenditures)	((\$1,500,000))
	<u>\$752,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,400,000

NEW SECTION. **Sec. 3002.** A new section is added to 2011 1st sp.s. c 48 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxic Sites - Puget Sound (91000032)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following ranked list of projects. If a specified project has not met the requirements for executing a contract with the department by April 30, 2013, the department may allocate the amount specified to additional projects awarded on a competitive basis provided that the awardee is ready to proceed with the project.

Project	Authorized Amount
Port Gamble Bay - Open up 90 acres of geoduck tracks	\$2,000,000
Port Gamble Bay - Source control, habitat preservation, and cleanup sustainability	\$7,000,000
Administration	\$270,000

1	Total	\$9,270,000
2	Appropriation:	
3	State Toxics Control Account--State	\$9,270,000
4	Prior Biennia (Expenditures)	\$0
5	Future Biennia (Projected Costs)	\$0
6	TOTAL	\$9,270,000

7 NEW SECTION. **Sec. 3003.** A new section is added to 2011 1st sp.s.
8 c 48 (uncodified) to read as follows:

9 **FOR THE DEPARTMENT OF ECOLOGY**

10 Eastern Washington Clean Sites Initiative (91000033)

11 The appropriation in this section is subject to the following
12 conditions and limitations: The appropriation in this section is
13 provided solely for the following ranked list of projects. If a
14 specified project has not met the requirements for executing a contract
15 with the department by April 30, 2013, the department may allocate the
16 amount specified to additional projects awarded on a competitive basis
17 provided that the awardee is ready to proceed with the project.

18	Project	Authorized
19		Amount
20	Cashmere Mill Site	\$1,500,000
21	Administration	\$45,000
22	Total	\$1,545,000

23	Appropriation:	
24	State Toxics Control Account--State	\$1,545,000
25	Prior Biennia (Expenditures)	\$0
26	Future Biennia (Projected Costs)	\$0
27	TOTAL	\$1,545,000

28 NEW SECTION. **Sec. 3004.** A new section is added to 2011 1st sp.s.
29 c 48 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF ECOLOGY**

31 FY 2012 Statewide Storm Water Grant Program (91000053)

1 The appropriation in this section is subject to the following
2 conditions and limitations: The appropriation in this section is
3 provided solely for the following ranked list of projects. If a
4 specified project has not met the requirements for executing a contract
5 with the department by April 30, 2013, the department may allocate the
6 amount specified to additional grants awarded on a competitive basis
7 provided that the grant awardee is ready to proceed with the project.

8	Project	Authorized
9		Amount
10	Lakewood 2012 Drywell	\$330,000
11	Replacement Project	
12	Ferndale Southwest Storm Water	\$871,000
13	Management Facility	
14	Tacoma Cheney Stadium Storm	\$1,000,000
15	Water LID Retrofit	
16	Bellingham Central Business	\$450,000
17	District Raingarden Retrofits	
18	Walla Walla 13th Avenue Storm	\$290,000
19	Water LID Project	
20	Spokane County Regional Decant	\$684,000
21	Facility	
22	Milton 5th Avenue Storm Water	\$112,000
23	Treatment Facility	
24	Pierce County Clarks/Rody Creek	\$829,000
25	Storm Water Retrofits	
26	Mount Vernon Downtown Plaza	\$351,000
27	Vancouver Water Quality	\$562,000
28	Retrofits for Existing Drywells	
29	Camas Vector Waste Facility	\$150,000
30	Retrofit	
31	Tumwater Valley Regional Storm	\$469,000
32	Water Facility	
33	West Richland Bombing Range	\$479,000
34	Outfall Elimination Project	

1	Kitsap County Parks: Replace	\$735,000
2	and Installation of Pervious	
3	Parking Lots	
4	Woodinville Lake Leota Storm	\$866,000
5	Water Quality Retrofit Project	
6	Richland Leslie Groves Park	\$199,000
7	Regional Infiltration Facility	
8	Spokane County Country Homes	\$1,000,000
9	Boulevard Restoration Project	
10	Redmond NE 84th Street Storm	\$1,000,000
11	Water Retrofit	
12	Pierce County Groundwater	\$578,000
13	Pollutant Reduction Project	
14	Kitsap County Illahee Storm	\$625,000
15	Water - LID Retrofit Project	
16	Bellingham Storm Water Retrofit	\$384,000
17	- Bloedel Donovan Park	
18	Puyallup Porus Alley Initiative	\$665,000
19	Program	
20	Lacey Vactor Waste Decant	\$342,000
21	Facility	
22	Fife 70th Avenue East Phase 2	\$786,000
23	Kent James Street Storm Water	\$75,000
24	Outfall Retrofit	
25	Renton Sunset Terrace Regional	\$983,000
26	Storm Water Facility	
27	Sumner Site A.2 Outfall	\$1,000,000
28	Treatment Retrofit	
29	Asotin Second Street Storm	\$172,000
30	Water Project	
31	University Place Bridgeport Way	\$758,000
32	Low Impact Development Project	
33	Sumner Site J Outfall Treatment	\$538,000
34	Retrofit	
35	Richland Canyon Terrace Storm	\$211,000
36	Water Treatment Project	

1	Olympia SPSCC Storm Water	\$312,000
2	Retrofit for Water Quality	
3	Renton Harrington Avenue NE	\$913,000
4	Green Connection	
5	Longview Municipal Pervious	\$86,000
6	Concrete	
7	Kirkland Northeast King County	\$2,250,000
8	Co-op Recycling Decant Center	
9	Burlington Gages Slough Storm	\$204,000
10	Water LID Improvements	
11	Clark County Columbia River	\$267,000
12	High School Storm Water	
13	Retrofit	
14	Bainbridge Island Lynwood	\$188,000
15	Center Outfall Improvement	
16	Project	
17	Puyallup Clarks Creek Targeted	\$551,000
18	Outfall Retrofit Project	
19	Pierce County Tacoma Narrows	\$326,000
20	Airport Pavement Removal	
21	Pierce County Spanaway Lake	\$690,000
22	Park Storm Water Retrofit	
23	Administrative Costs	\$792,000
24	Total	\$24,073,000

25 Appropriation:

26	Local Toxics Control Account--State	\$24,073,000
27	Prior Biennia (Expenditures)	\$0
28	Future Biennia (Projected Costs)	\$0
29	TOTAL	\$24,073,000

30 NEW SECTION. **Sec. 3005.** A new section is added to 2011 1st sp.s.
31 c 48 (uncodified) to read as follows:

32 **FOR THE DEPARTMENT OF ECOLOGY**

33 Storm Water Retrofit and LID Competitive Grants (91000054)

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

1 provided solely for the following ranked list of projects. If a
 2 specified project has not met the requirements for executing a contract
 3 with the department by April 30, 2013, the department may allocate the
 4 amount specified to additional grants awarded on a competitive basis
 5 provided that the grant awardee is ready to proceed with the project.

	Project	Authorized Amount
8	Burien Miller Creek Storm Water Management Facility	\$1,000,000
10	Tacoma Asotin Court LID Retrofit	\$710,000
12	Seattle Public Utilities Midvale Storm Water Facility	\$1,000,000
14	Mukilteo Smuggler's Gulch Drainage Basin LID and Storm Water Retrofit	\$1,000,000
17	Kirkland Park Lane Pedestrian Corridor	\$739,000
19	Port Angeles 4th Street Storm Water Project	\$1,000,000
21	Snohomish County Department of Parks & Recreation Kayak Park Storm Water Treatment	\$1,000,000
24	Renton Rainier Avenue Storm Water Retrofit	\$644,000
26	Vancouver Peterson Channel Industrial LID Improvements	\$287,000
28	Wenatchee Snowmelt Facility Port Orchard Cedar Heights	\$975,000
29	Junior High Sidewalks	\$135,000
31	Centralia Downtown Rain Garden Revitalization Project	\$487,000
33	Snohomish County Paine Field	\$967,000
34	Drainage Subbasin SC-5	
35	Seattle Public Utilities West	\$289,000
36	Seattle Decant Facility	

1	Skagit County LID	\$291,000
2	Demonstration Project	
3	Snohomish LID Improvements	\$104,000
4	Project	
5	Douglas County 23rd Street	\$165,000
6	(Baker to SR 28)	
7	Renton NE 10th St and Anacortes	\$206,000
8	Ave NE Detention Pond Retrofit	
9	Redmond Public Works Kelsey	\$1,000,000
10	Creek Erosion Reduction Facility	
11	Whatcom County Upper Silver	\$988,000
12	Beach Creek Restoration	
13	Port of Vancouver Terminal 4	\$1,000,000
14	Storm Water Pond Retrofit	
15	Administrative Costs	\$476,000
16	Total	\$14,463,000

17 Appropriation:

18	Local Toxics Control Account--State	\$14,463,000
19	Prior Biennia (Expenditures)	\$0
20	Future Biennia (Projected Costs)	\$0
21	TOTAL	\$14,463,000

22 **Sec. 3006.** 2011 1st sp.s. c 49 s 3008 (uncodified) is amended to
 23 read as follows:

24 **FOR THE DEPARTMENT OF ECOLOGY**

25 Columbia River Basin Water Supply Development Program (20062950)

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

28 (1) \$1,000,000 of the appropriation is provided solely to the
 29 Columbia basin groundwater management area for the following projects:

30 (a) \$600,000 of the appropriation is provided solely to construct
 31 localized hydrologic models for municipal supply sources and aquifer
 32 storage and recovery potential; and

33 (b) \$400,000 of the appropriation is provided solely to develop and
 34 implement methods to identify sustainable wells near the East Low
 35 Canal.

1 (2) \$6,000,000 of the appropriation is provided solely for the
2 Sunnyside Valley Irrigation District Water Conservation program.

3 (3) The department must reexamine its method of accounting for in-
4 stream and out-of-stream benefits and develop a means of accounting for
5 the indirect but substantial and tangible out-of-stream benefits that
6 accrue from conservation, pump exchanges, and other projects. The
7 department must report the results of this reexamination to the
8 legislature by September 15, 2011.

9 Reappropriation:

10 Columbia River Basin Water Supply Development

11 Account--State \$23,987,000

12 Appropriation:

13 Columbia River Basin Water Supply Development

14 Account--State ((\$47,000,000))

15 \$36,596,000

16 Columbia River Basin Taxable Bond Water

17 Supply Development Account--State \$10,404,000

18 Subtotal Appropriation \$47,000,000

19 Prior Biennia (Expenditures) \$20,513,000

20 Future Biennia (Projected Costs) \$128,700,000

21 TOTAL \$220,200,000

22 **Sec. 3007.** 2011 1st sp.s. c 48 s 3024 (uncodified) is amended to
23 read as follows:

24 **FOR THE DEPARTMENT OF ECOLOGY**

25 Centennial Clean Water Program (30000208)

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

28 (1) \$3,500,000 of the appropriation is provided solely to the city
29 of Snohomish to implement the near-term wastewater treatment plant
30 improvement project required under agreed order No. 7973 between the
31 department of ecology and the city.

32 (2) \$3,500,000 of the appropriation is provided solely for a grant
33 for the Freeland sewer project.

34 (3) ~~(\$540,000 of the appropriation is provided solely for the city~~
35 ~~of Connell's Klindworth Campbell waterline distribution project.~~

1 ~~(4)~~) \$600,000 of the appropriation is provided solely for a grant
2 for the town of Mabton's wastewater treatment project.

3 ~~((5))~~ (4) For projects involving repair, replacement, or
4 improvement of a wastewater treatment plant or other public works
5 facility for which an investment grade audit is obtainable, the
6 department of ecology must require as a contract condition that the
7 project sponsor undertake an investment grade audit. The project
8 sponsor may finance the costs of the audit as part of its centennial
9 clean water program grant.

10 Appropriation:

11	State Toxics Control Account--State	\$34,100,000
12	Prior Biennia (Expenditures)	\$0
13	Future Biennia (Projected Costs)	\$0
14	TOTAL	\$34,100,000

15 **Sec. 3008.** 2011 1st sp.s. c 49 s 3028 (uncodified) is amended to
16 read as follows:

17 **FOR THE DEPARTMENT OF ECOLOGY**

18 Protect Communities from Flood and Drought (92000002)

19 Reappropriation:

20	State Building Construction Account--State	(\$6,475,000)
21		<u>\$8,172,000</u>
22	Prior Biennia (Expenditures)	(\$8,500,000)
23		<u>\$6,609,000</u>
24	Future Biennia (Projected Costs)	\$0
25	TOTAL	(\$14,975,000)
26		<u>\$14,781,000</u>

27 NEW SECTION. **Sec. 3009.** A new section is added to 2011 1st sp.s.
28 c 48 (uncodified) to read as follows:

29 **FOR THE DEPARTMENT OF ECOLOGY**

30 Flood Levee Improvements (92000057)

31 The appropriation in this section is subject to the following
32 conditions and limitations: The appropriation in this section is
33 provided solely for the King county flood district for the Briscoe-
34 Desimone levee improvement project.

1	Appropriation:	
2	Local Toxics Control Account--State	\$7,000,000
3	Prior Biennia (Expenditures)	\$0
4	Future Biennia (Projected Costs)	\$0
5	TOTAL	\$7,000,000

6 **Sec. 3010.** 2011 1st sp.s. c 48 s 3025 (uncodified) is amended to
7 read as follows:

8 **FOR THE DEPARTMENT OF ECOLOGY**

9 Water Pollution Control Revolving Fund Program (30000209)

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

12 (1) For projects involving repair, replacement, or improvement of
13 a wastewater treatment plant or other public works facility for which
14 an investment grade audit is obtainable, the department of ecology must
15 require as a contract condition that the project sponsor undertake an
16 investment grade audit. The project sponsor may finance the costs of
17 the audit as part of its water pollution control revolving fund program
18 loan.

19 (2) \$7,939,000 of the appropriation is provided solely for the LOTT
20 clean water alliance primary sedimentation basins project.

21 **Appropriation:**

22	Water Pollution Control Revolving	
23	Account--State	((\$102,000,000))
24		<u>\$109,939,000</u>
25	Water Pollution Control Revolving Account--Federal . .	\$82,205,000
26	Subtotal Appropriation	((\$184,205,000))
27		<u>\$192,144,000</u>
28	Prior Biennia (Expenditures)	\$0
29	Future Biennia (Projected Costs)	\$736,820,000
30	TOTAL	((\$921,025,000))
31		<u>\$928,964,000</u>

32 **Sec. 3011.** 2011 1st sp.s. c 48 s 3036 (uncodified) is amended to
33 read as follows:

34 **FOR THE DEPARTMENT OF ECOLOGY**

35 Clean Up Toxics Sites - Puget Sound (30000265)

1 Appropriation:
 2 ((~~Local Toxics Control Account~~ State)) State
 3 Toxics Control Account--State \$16,400,000
 4 Prior Biennia (Expenditures) \$0
 5 Future Biennia (Projected Costs) \$11,248,000
 6 TOTAL \$27,648,000

7 NEW SECTION. Sec. 3012. A new section is added to 2011 1st sp.s.
 8 c 48 (uncodified) to read as follows:

9 **FOR THE DEPARTMENT OF ECOLOGY**
 10 Solid Waste Reduction - Compost (91000197)

11 Appropriation:
 12 State Toxics Control Account--State \$1,694,000
 13 Prior Biennia (Expenditures) \$0
 14 Future Biennia (Projected Costs) \$0
 15 TOTAL \$1,694,000

16 NEW SECTION. Sec. 3013. A new section is added to 2011 1st sp.s.
 17 c 49 (uncodified) to read as follows:

18 **FOR THE PARKS AND RECREATION COMMISSION**
 19 Deferred Maintenance (91000030)

20 The appropriation in this section is subject to the following
 21 conditions and limitations: \$250,000 of the appropriation is provided
 22 solely for improvements at Mt. Spokane state park.

23 Appropriation:
 24 State Building Construction Account--State \$1,070,000
 25 Prior Biennia (Expenditures) \$0
 26 Future Biennia (Projected Costs) \$0
 27 TOTAL \$1,070,000

28 NEW SECTION. Sec. 3014. A new section is added to 2011 1st sp.s.
 29 c 49 (uncodified) to read as follows:

30 **FOR THE STATE PARKS AND RECREATION COMMISSION**
 31 Picnic Shelters (91000018)

32 Appropriation:
 33 State Building Construction Account--State \$500,000

1 Prior Biennia (Expenditures) \$0
2 Future Biennia (Projected Costs) \$0
3 TOTAL \$500,000

4 NEW SECTION. Sec. 3015. A new section is added to 2011 1st sp.s.
5 c 49 (uncodified) to read as follows:

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

7 Wallace Falls Footbridge (91000047)

8 Appropriation:

9 State Building Construction Account--State \$486,000
10 Prior Biennia (Expenditures) \$0
11 Future Biennia (Projected Costs) \$0
12 TOTAL \$486,000

13 NEW SECTION. Sec. 3016. A new section is added to 2011 1st sp.s.
14 c 49 (uncodified) to read as follows:

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

16 Energy Conservation (91000040)

17 Appropriation:

18 State Building Construction Account--State \$215,000
19 Prior Biennia (Expenditures) \$0
20 Future Biennia (Projected Costs) \$0
21 TOTAL \$215,000

22 *NEW SECTION. Sec. 3017. A new section is added to 2011 1st sp.s.
23 c 49 (uncodified) to read as follows:

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

25 *Lake Sammamish Concession and Event Facility (91000034)*

26 **Appropriation:**

27 *State Building Construction Account--State \$1,000,000*
28 *Prior Biennia (Expenditures) \$0*
29 *Future Biennia (Projected Costs) \$0*
30 *TOTAL \$1,000,000*

**Sec. 3017 was vetoed. See message at end of chapter.*

31 NEW SECTION. Sec. 3018. A new section is added to 2011 1st sp.s.
32 c 49 (uncodified) to read as follows:

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

2 Culverts (91000046)

3 Appropriation:

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

8 NEW SECTION. **Sec. 3019.** A new section is added to 2011 1st sp.s.
9 c 48 (uncodified) to read as follows:

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

11 Family Forest Fish Passage Program (91000097)

12 Appropriation:

13	State Toxics Control Account--State	\$10,000,000
14	Prior Biennia (Expenditures) . . . . .	.\$0
15	Future Biennia (Projected Costs) . . . . .	.\$0
16	TOTAL	\$10,000,000

17 **Sec. 3020.** 2011 1st sp.s. c 49 s 3070 (uncodified) is amended to
18 read as follows:

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

20 Puget Sound Estuary and Salmon Restoration Program (30000148)

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

23 (1) \$750,000 of the appropriation is provided solely for
24 acquisition of land in Dabob Bay by the nature conservancy for transfer
25 to the department of natural resources.

26 (2) The balance of the appropriation shall not be expended on the
27 acquisition of lands by state agencies.

28 Appropriation:

29	State Building Construction Account--State	\$5,000,000
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs)	\$20,000,000
32	TOTAL	\$25,000,000

1 NEW SECTION. Sec. 3021. A new section is added to 2011 1st sp.s.
2 c 48 (uncodified) to read as follows:

3 **FOR THE STATE CONSERVATION COMMISSION**

4 Livestock Nutrient Program (30000001)

5 Appropriation:

6	General Fund--Federal	\$1,000,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs) . . . . .	.\$0
9	TOTAL	\$1,000,000

10 NEW SECTION. Sec. 3022. A new section is added to 2011 1st sp.s.
11 c 48 (uncodified) to read as follows:

12 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

13 Point Ruston Sediment Capping and Shoreline Restoration
14 Stabilization (91000065)

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

17 (1) The appropriation in this section is provided solely to the
18 department of natural resources to complete sediment capping and
19 shoreline stabilization on aquatic lands located adjacent to the Asarco
20 clean-up site in Commencement Bay. However, funds shall only be
21 expended if the department has entered into agreements with the
22 environmental protection agency or the adjacent land owner known as
23 Point Ruston, LLC which fully relieves the state from any further
24 liability or contributions relating to the cleanup of such aquatic
25 lands.

26 (2) This appropriation from the cleanup settlement account is a
27 loan payable over an eight-year period half from the aquatic lands
28 enhancement account and half from the state toxics control account.
29 The state treasurer must maintain a record of expenditures against this
30 appropriation and must calculate repayment obligations to the cleanup
31 settlement account at an interest rate that is five-tenths of a one
32 percent higher than the interest rate that the account would have
33 earned without the expenditures against this appropriation. The state
34 treasurer must submit a report of this repayment obligation to the
35 office of financial management by September 1st of each year. The

1 governor's budget request under RCW 43.88.060 must include sufficient
2 funds to meet the biennial repayment obligation.

3 Appropriation:

4	Cleanup Settlement Account--State	\$7,200,000
5	Prior Biennia (Expenditures) . . . . .	.\$0
6	Future Biennia (Projected Costs) . . . . .	.\$0
7	TOTAL	\$7,200,000

8 **Sec. 3023.** 2011 1st sp.s. c 48 s 3083 (uncodified) is amended to
9 read as follows:

10 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

11 ((Elk-River-Estuarine)) National Coastal Wetland Conservation
12 Program Lands Acquisition (91000007)

13 Reappropriation:

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

18 **Sec. 3024.** 2011 1st sp.s. c 49 s 3108 (uncodified) is amended to
19 read as follows:

20 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

21 Fire Hazard Reductions (30000201)

22 The appropriation in this section is subject to the following
23 conditions and limitations: The appropriations in this section are
24 provided solely for forest ((improvement)) treatments ((on)) that
25 benefit state trust lands in eastern Washington.

26 Appropriation:

27	State Building Construction Account--State	\$2,000,000
28	Prior Biennia (Expenditures) . . . . .	.\$0
29	Future Biennia (Projected Costs) . . . . .	.\$0
30	TOTAL	\$2,000,000

31 NEW SECTION. **Sec. 3025.** A new section is added to 2011 1st sp.s.
32 c 48 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

2 Puget SoundCorps (91000046)

3 The appropriation is subject to the following conditions and
4 limitations: The appropriation in this section is provided solely for
5 water quality and habitat protection and restoration projects that
6 benefit Puget Sound recovery and that are primarily on public lands.
7 The department of natural resources must contract with the department
8 of ecology for Puget SoundCorps crews of youth and military veterans to
9 implement these projects pursuant to chapter 20, Laws of 2011.

10 Appropriation:

11	Aquatic Lands Enhancement Account--State	\$3,000,000
12	Prior Biennia (Expenditures)	\$0
13	Future Biennia (Projected Costs)	\$0
14	TOTAL	\$3,000,000

(End of part)

PART 4
TRANSPORTATION

NEW SECTION. **Sec. 4001.** A new section is added to 2011 1st sp.s. c 48 (uncodified) to read as follows:

FOR THE WASHINGTON STATE PATROL

Fire Training Academy Self Contained Breathing Apparatus Building
(30000067)

Appropriation:

Fire Service Training Account--State	\$244,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$244,000

NEW SECTION. **Sec. 4002.** A new section is added to 2011 1st sp.s. c 48 (uncodified) to read as follows:

FOR THE WASHINGTON STATE PATROL

Fire Training Academy Master Plan/Environmental Impact Study
(30000066)

Appropriation:

Fire Service Training Account--State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000

(End of part)

PART 5
EDUCATION

Sec. 5001. 2011 1st sp.s. c 49 s 5002 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Vocational Skills Centers (20084300)

Reappropriation:

State Building Construction Account--State	(((\$3,187,000)))
	<u>\$2,226,000</u>
School Construction and Skills Centers Building	
Account--State	\$119,000
Subtotal Reappropriation	(((\$3,306,000)))
	<u>\$2,345,000</u>
Prior Biennia (Expenditures)	\$67,401,000
Future Biennia (Projected Costs)	\$.0
TOTAL	(((\$70,707,000)))
	<u>\$69,746,000</u>

Sec. 5002. 2011 1st sp.s. c 49 s 5008 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Skills Centers Minor Works - Facility Preservation (30000111)

Appropriation:

State Building Construction Account--State	(((\$3,000,000)))
	<u>\$2,942,000</u>
Prior Biennia (Expenditures)	\$.0
Future Biennia (Projected Costs)	(((\$12,000,000)))
	<u>\$20,000,000</u>
TOTAL	(((\$15,000,000)))
	<u>\$22,942,000</u>

Sec. 5003. 2011 1st sp.s. c 49 s 5009 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center (30000076)

1	Appropriation:	
2	State Building Construction Account--State	((\$28,461,000))
3		<u>\$25,443,000</u>
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs) . . . . .	.\$0
6	TOTAL	((\$28,461,000))
7		<u>\$25,443,000</u>

8 **Sec. 5004.** 2011 1st sp.s. c 49 s 5004 (uncodified) is amended to
9 read as follows:

10 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

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

12 The reappropriations in this section are subject to the following
13 conditions and limitations: Up to \$14,000,000 of the state building
14 construction account--state reappropriation in this section is for the
15 Grand Coulee Dam school district school project, contingent on the
16 availability of sufficient contributions from federal, local, (~~or~~)
17 private, or other sources to make up the remainder of the total cost of
18 the project. The Grand Coulee Dam school district is faced with a
19 unique set of local funding barriers and federal or other funds may
20 substitute as the usual requirement for school district participation.
21 In the event sufficient matching contributions are not secured by the
22 Grand Coulee Dam school district, these funds shall lapse.

23 Reappropriation:

24	State Building Construction Account--State . . . . .	.\$129,681,000
25	School Construction and Skill Centers Building	
26	Account--Bond--State	\$40,885,000
27	Subtotal Reappropriation . . . . .	.\$170,566,000
28	Prior Biennia (Expenditures) . . . . .	.\$144,862,000
29	Future Biennia (Projected Costs) . . . . .	.\$0
30	TOTAL	\$315,428,000

31 **Sec. 5005.** 2011 1st sp.s. c 48 s 5003 (uncodified) is amended to
32 read as follows:

33 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

34 2011-13 School Construction Assistance Program (30000071)

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

3 (1) \$1,337,000 of the common school construction account--state
4 appropriation is provided solely for study and survey grants and for
5 completing inventory and building condition assessments for all public
6 school districts once every six years.

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

10 (3) \$952,000 of the common school construction account--state
11 appropriation is provided solely for mapping the design of new
12 facilities and remapping the design of facilities to be remodeled, for
13 school construction projects funded through the school construction
14 assistance program.

15 Appropriation:

16	Common School Construction Account--State	((\$314,960,000))
17		<u>\$307,558,000</u>
18	Common School Construction Account--Federal	((\$600,000))
19		<u>\$1,600,000</u>
20	Subtotal Appropriation	((\$315,560,000))
21		<u>\$309,158,000</u>
22	Prior Biennia (Expenditures)	\$0
23	Future Biennia (Projected Costs)	((\$1,351,581,000))
24		<u>\$1,351,139,000</u>
25	TOTAL	((\$1,667,141,000))
26		<u>\$1,660,297,000</u>

27 **Sec. 5006.** 2011 1st sp.s. c 49 s 5006 (uncodified) is amended to
28 read as follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

30 2011-13 School Construction Assistance Program (30000071)

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

33 (1) In calculating square foot eligibility for state assistance
34 grants, kindergarten student headcount shall not be reduced by fifty
35 percent.

1 (2) The office of the superintendent of public instruction shall
2 review the impact of students enrolled in alternative learning
3 experiences on the calculation of student enrollment projections for
4 determining school district eligibility for school construction
5 assistance, and shall work with interested stakeholders to analyze
6 whether the calculation should be changed. The results of the
7 analysis, including possible recommendations for an adjustment factor,
8 shall be submitted to the senate ways and means committee and the house
9 capital budget committee no later than December 31, 2011.

10 Appropriation:

11	State Building Construction Account--State	((\$345,754,000))
12		<u>\$247,404,000</u>
13	Prior Biennia (Expenditures)	\$0
14	Future Biennia (Projected Costs)	((\$1,581,765,000))
15		<u>\$1,586,015,000</u>
16	TOTAL	((\$1,927,519,000))
17		<u>\$1,833,419,000</u>

18 NEW SECTION. Sec. 5007. A new section is added to 2011 1st sp.s.
19 c 48 (uncodified) to read as follows:

20 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

21 Transition to New ALE-Adjusted Construction Asst. Formula
22 (92000002)

23 The appropriation is subject to the following conditions and
24 limitations: The appropriation is provided solely for reimbursement of
25 demonstrated direct and actual preconstruction costs incurred by the
26 Meridian, Eastmont, and Yakima school districts through January 31,
27 2012, related to project square footage affected under Substitute
28 Senate Bill No. 6002. These funds may also be used to provide
29 assistance to the aforementioned districts for revising plans,
30 redesigning projects, or otherwise managing the transition to the
31 amended formula with preference given to those districts with
32 alternative learning experience student full-time equivalent
33 enrollments making up less than five percent of total student full-time
34 equivalent enrollments.

35 Appropriation:

36	Common School Construction Account--State	\$350,000
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1 Prior Biennia (Expenditures) \$0
 2 Future Biennia (Projected Costs) \$0
 3 TOTAL \$350,000

4 NEW SECTION. **Sec. 5008.** A new section is added to 2011 1st sp.s.
 5 c 49 (uncodified) to read as follows:

6 **FOR THE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

7 Lloyd Auditorium Emergency Repairs (30000012)

8 Reappropriation:

9 State Building Construction Account--State \$1,858,000
 10 Prior Biennia (Expenditures) \$0
 11 Future Biennia (Projected Costs) \$0
 12 TOTAL \$1,858,000

13 **Sec. 5009.** 2011 1st sp.s. c 48 s 5007 (uncodified) is amended to
 14 read as follows:

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

17 Minor Public Works (30000013)

18 Appropriation:

19 Charitable, Educational, Penal and Reformatory
 20 Institutions Account--State ((~~\$536,000~~))
 21 \$0
 22 Prior Biennia (Expenditures) \$0
 23 Future Biennia (Projected Costs) ((~~\$3,811,000~~))
 24 \$0
 25 TOTAL ((~~\$4,347,000~~))
 26 \$0

27 **Sec. 5010.** 2011 1st sp.s. c 48 s 5006 (uncodified) is amended to
 28 read as follows:

29 **FOR THE STATE SCHOOL FOR THE BLIND**

30 General Campus Preservation (30000018)

31 Appropriation:

32 Charitable, Educational, Penal and Reformatory
 33 Institutions Account--State ((~~\$550,000~~))

1		<u>\$0</u>
2	Prior Biennia (Expenditures)	\$0
3	Future Biennia (Projected Costs)	((\$2,557,000))
4		<u>\$0</u>
5	TOTAL	((\$3,107,000))
6		<u>\$0</u>

7 NEW SECTION. Sec. 5011. A new section is added to 2011 1st sp.s.
8 c 48 (uncodified) to read as follows:

9 **FOR THE UNIVERSITY OF WASHINGTON**

10 University of Washington Tacoma Campus Development and Soil
11 Remediation (92000002)

12 Appropriation:

13	State Toxics Control Account--State	\$700,000
14	Prior Biennia (Expenditures)	\$0
15	Future Biennia (Projected Costs)	\$0
16	TOTAL	\$700,000

17 **Sec. 5012.** 2011 1st sp.s. c 49 s 5022 (uncodified) is amended to
18 read as follows:

19 **FOR THE UNIVERSITY OF WASHINGTON**

20 Anderson Hall Renovation (20091002)

21 Appropriation:

22	State Building Construction Account--State	((\$1,553,000))
23		<u>\$0</u>
24	Prior Biennia (Expenditures)	\$200,000
25	Future Biennia (Projected Costs)	((\$19,997,000))
26		<u>\$0</u>
27	TOTAL	((\$21,750,000))
28		<u>\$200,000</u>

29 NEW SECTION. Sec. 5013. A new section is added to 2011 1st sp.s.
30 c 48 (uncodified) to read as follows:

31 **FOR THE UNIVERSITY OF WASHINGTON**

32 University of Washington Bothell (20082006)

1 In conjunction with the appropriation in this section, the
 2 University of Washington is authorized to issue a bond or bonds in an
 3 amount not to exceed \$30,000,000 in value for construction of the
 4 Bothell Phase 3 project identified in this section. The bond shall be
 5 financed from building fee and trust land revenues deposited into the
 6 university's bond retirement account, in accordance with RCW 28B.20.700
 7 through 28B.20.740.

8 Appropriation:

9	University of Washington Building Account--State . . .	\$12,963,000
10	Prior Biennia (Expenditures) . . . . .	.\$0
11	Future Biennia (Projected Costs) . . . . .	.\$0
12	TOTAL	\$12,963,000

13 **Sec. 5014.** 2011 1st sp.s. c 48 s 5014 (uncodified) is amended to
 14 read as follows:

15 **FOR THE WASHINGTON STATE UNIVERSITY**

16 Washington State University Spokane - Riverpoint Biomedical and
 17 Health Sciences (20162953)

18 In conjunction with the appropriations in this section, the
 19 Washington State University is authorized to issue a bond or bonds in
 20 an amount not to exceed \$29,775,000 in value for construction of the
 21 Riverpoint biomedical and health sciences project identified in this
 22 section. The bond shall be financed from building fee and trust land
 23 revenues deposited into the university's bond retirement account, in
 24 accordance with RCW 28B.30.700 through 28B.30.780.

25 Appropriation:

26	Washington State University Building Account--	
27	State	\$3,770,000
28	<u>State Toxics Control Account--State</u>	<u>\$1,300,000</u>
29	<u>Subtotal Appropriation</u>	<u>\$5,070,000</u>
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs) . . . . .	.\$0
32	TOTAL	((\$3,770,000))
33		<u>\$5,070,000</u>

34 **Sec. 5015.** 2011 1st sp.s. c 48 s 5027 (uncodified) is amended to
 35 read as follows:

1 **FOR THE CENTRAL WASHINGTON UNIVERSITY**
 2 Minor Works Preservation: Preservation (30000444)
 3 Appropriation:
 4 Central Washington University Capital
 5 Projects Account--State ((~~\$7,000,000~~))
 6 \$7,430,000
 7 Prior Biennia (Expenditures) \$0
 8 Future Biennia (Projected Costs) ((~~\$10,000,000~~))
 9 \$9,570,000
 10 TOTAL \$17,000,000

11 NEW SECTION. **Sec. 5016.** A new section is added to 2011 1st sp.s.
 12 c 48 (uncodified) to read as follows:

13 **FOR THE CENTRAL WASHINGTON UNIVERSITY**
 14 Combined Utilities (30000448)
 15 Appropriation:
 16 Central Washington University Capital Projects
 17 Account--State \$273,000
 18 Prior Biennia (Expenditures) \$0
 19 Future Biennia (Projected Costs) \$0
 20 TOTAL \$273,000

21 **Sec. 5017.** 2011 1st sp.s. c 49 s 5030 (uncodified) is amended to
 22 read as follows:

23 **FOR THE EASTERN WASHINGTON UNIVERSITY**
 24 Minor Works: Health, Safety, and Code Requirements (20081002)
 25 Reappropriation:
 26 State Building Construction Account--State ((~~\$286,000~~))
 27 \$129,000
 28 Prior Biennia (Expenditures) \$3,871,000
 29 Future Biennia (Projected Costs) \$0
 30 TOTAL ((~~\$4,157,000~~))
 31 \$4,000,000

32 **Sec. 5018.** 2011 1st sp.s. c 48 s 5022 (uncodified) is amended to
 33 read as follows:

1 **FOR THE EASTERN WASHINGTON UNIVERSITY**

2 Minor Works: Preservation (30000427)

3 Appropriation:

4 Eastern Washington University Capital Projects

5 Account--State ((~~\$9,205,000~~))

6 \$11,745,000

7 Prior Biennia (Expenditures) \$0

8 Future Biennia (Projected Costs) \$0

9 TOTAL ((~~\$9,205,000~~))

10 \$11,745,000

11 **Sec. 5019.** 2011 1st sp.s. c 48 s 5040 (uncodified) is amended to
12 read as follows:

13 **FOR THE WESTERN WASHINGTON UNIVERSITY**

14 Minor Works: Preservation (30000431)

15 Appropriation:

16 Western Washington University Capital Projects

17 Account--State ((~~\$8,264,000~~))

18 \$9,794,000

19 Prior Biennia (Expenditures) \$0

20 Future Biennia (Projected Costs) ((~~\$16,600,000~~))

21 \$15,070,000

22 TOTAL \$24,864,000

23 **Sec. 5020.** 2011 1st sp.s. c 49 s 5070 (uncodified) is amended to
24 read as follows:

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

26 Clover Park Technical College - Allied Health Care Facility
27 (20062699)

28 Reappropriation:

29 State Building Construction Account--State \$317,000

30 Appropriation:

31 State Building Construction Account--State ((~~\$20,706,000~~))

32 \$20,585,000

33 Prior Biennia (Expenditures) \$1,748,000

34 Future Biennia (Projected Costs) \$0

1 TOTAL ((~~\$22,771,000~~))
2 \$22,650,000

3 **Sec. 5021.** 2011 1st sp.s. c 49 s 5082 (uncodified) is amended to
4 read as follows:

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

6 Everett Community College: Index Hall Replacement (20081221)

7 Reappropriation:

8 State Building Construction Account--State \$1,468,000

9 Appropriation:

10 State Building Construction Account--State ((~~\$31,988,000~~))

11 \$31,357,000

12 Prior Biennia (Expenditures) \$3,489,000

13 Future Biennia (Projected Costs) \$0

14 TOTAL ((~~\$36,945,000~~))

15 \$36,314,000

16 **Sec. 5022.** 2011 1st sp.s. c 49 s 5088 (uncodified) is amended to
17 read as follows:

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

19 Tacoma Community College: Health Careers Center (20082701)

20 Reappropriation:

21 State Building Construction Account--State \$906,000

22 Appropriation:

23 State Building Construction Account--State \$39,107,000

24 Prior Biennia (Expenditures) \$1,160,000

25 Future Biennia (Projected Costs) ((~~\$38,819,000~~))

26 \$0

27 TOTAL ((~~\$40,885,000~~))

28 \$41,173,000

29 NEW SECTION. **Sec. 5023.** A new section is added to 2011 1st sp.s.
30 c 48 (uncodified) to read as follows:

31 **FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

32 Equipment Pool (92000011)

33 The appropriation in this section is subject to the following
34 conditions and limitations: The appropriation is for major equipment

1 in high demand fields from among the list as specified in LEAP capital
2 document No. 2012-34, developed March 7, 2012. The state board for
3 community and technical colleges may allocate amounts among the
4 equipment items specified to cover differences in actual bid prices,
5 but may not allocate amounts to equipment items not on the list.

6 Appropriation:

7	Community/Technical College Capital Projects	
8	Account--State	\$2,700,000
9	Prior Biennia (Expenditures) . . . . .	.\$0
10	Future Biennia (Projected Costs) . . . . .	.\$0
11	TOTAL	\$2,700,000

(End of part)

PART 6
MISCELLANEOUS

3 ***Sec. 6001.** 2011 1st sp.s. c 48 s 7011 (uncodified) is amended to
4 read as follows:

5 **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

6 The following agencies may enter into financial contracts, paid
7 from any funds of an agency, appropriated or nonappropriated, for the
8 purposes indicated and in not more than the principal amounts
9 indicated, plus financing expenses and required reserves pursuant to
10 chapter 39.94 RCW. When securing properties under this section,
11 agencies shall use the most economical financial contract option
12 available, including long-term leases, lease-purchase agreements,
13 lease-development with option to purchase agreements or financial
14 contracts using certificates of participation. Expenditures made by an
15 agency for one of the indicated purposes before the issue date of the
16 authorized financial contract and any certificates of participation
17 therein are intended to be reimbursed from proceeds of the financial
18 contract and any certificates of participation therein to the extent
19 provided in the agency's financing plan approved by the state finance
20 committee.

21 State agencies may enter into agreements with the department of
22 general administration and the state treasurer's office to develop
23 requests to the legislature for acquisition of properties and
24 facilities through financial contracts. The agreements may include
25 charges for services rendered.

26 Those noninstructional facilities of higher education institutions
27 authorized in this section to enter into financial contracts are not
28 eligible for state funded maintenance and operations. Instructional
29 space that is available for regularly scheduled classes for academic
30 transfer, basic skills, and workforce training programs may be eligible
31 for state funded maintenance and operations.

32 (1) Community and technical colleges:

33 (a) Enter into a financing contract on behalf of Columbia basin
34 college for up to \$2,500,000 plus financing and required reserves
35 pursuant to chapter 39.94 RCW to add space to the delta high school for
36 the science technology engineering math program.

1 (b) Enter into a financing contract on behalf of Peninsula college
2 for up to \$2,000,000 plus financing expenses and required reserves
3 pursuant to chapter 39.94 RCW to renovate the Forks Satellite building.

4 (c) Enter into a financing contract on behalf of Peninsula college
5 for up to \$800,000 plus financing expenses and required reserves
6 pursuant to chapter 39.94 RCW to build a wellness center on the Port
7 Angeles campus.

8 (d) Enter into a financing contract on behalf of Walla Walla
9 Community College for up to \$1,000,000 plus financing expenses and
10 required reserves pursuant to chapter 39.94 RCW to purchase up to 40
11 acres of land.

12 (e) Enter into a financing contract on behalf of Walla Walla
13 Community College for up to \$1,000,000 plus financing expenses and
14 required reserves pursuant to chapter 39.94 RCW for the water and
15 environment center.

16 (f) Enter into a financing contract on behalf of Wenatchee Valley
17 Community College for up to \$2,700,000 plus financing expenses and
18 required reserves pursuant to chapter 39.94 RCW to construct a music
19 and art center.

20 (g) Enter into a financing contract on behalf of Whatcom community
21 college for up to \$3,916,000 plus financing expenses and required
22 reserves pursuant to chapter 39.94 RCW to build an auxiliary services
23 building.

24 (h) Enter into a financing contract on behalf of Skagit Valley
25 Community College for up to \$30,574,000 plus financing expenses and
26 required reserves pursuant to chapter 39.94 RCW to build an academic
27 and student services building.

28 (i) Enter into a financing contract on behalf of Lower Columbia
29 Community College for up to \$38,615,000 plus financing expenses and
30 required reserves pursuant to chapter 39.94 RCW to build a health and
31 science building.

32 (j) Enter into a financing contract on behalf of Everett Community
33 College for up to \$4,000,000 plus financing expenses and required
34 reserves pursuant to chapter 39.94 RCW to renovate a corporate and
35 continuing education building.

36 (k) Enter into a financing contract on behalf of Spokane Community
37 College for up to \$3,100,000 plus financing expenses and required

1 reserves pursuant to chapter 39.94 RCW to replace the institute for
2 extended learning building.

3 (l) Enter into a financing contract on behalf of the state board
4 for community and technical colleges for up to \$50,000,000 plus
5 financing expenses and required reserves pursuant to chapter 39.94 RCW
6 for the administrative system replacement project pursuant to RCW
7 28B.50.515(4).

8 (m) Enter into a long-term lease on behalf of Spokane Community
9 College at Geiger Field suitable for the Aerospace Training Center
10 Program, subject to the approval of the Office of Financial Management
11 as required by chapter 43.82 RCW.

12 (2) Central Washington University: Enter into a financing contract
13 for up to \$2,500,000 plus financing and required reserves pursuant to
14 chapter 39.94 RCW to purchase the Albertsons's building.

15 (3) Department of general administration:

16 (a) Enter into a financing contract for up to \$6,000,000 plus
17 financing expenses and required reserves pursuant to chapter 39.94 RCW
18 for the rehabilitation of the John L. O'Brien building.

19 (b) Enter into a financing contract for up to \$250,000 plus
20 financing expenses and required reserves pursuant to chapter 39.94 RCW
21 for the "Perry Street child care site" land purchase.

22 (4) Department of social and health services: Enter into a
23 financing contract for up to \$15,850,000 plus financing expenses and
24 required reserves pursuant to chapter 39.94 RCW to construct or
25 renovate specialized housing and treatment facilities for youth
26 committed to the juvenile rehabilitation administration. The debt
27 service is to be paid with the savings associated with closure of the
28 Maple Lane school.

29 (5) Washington State Parks:

30 (a) Enter into a financing contract for up to \$1,620,000 plus
31 financing expenses and required reserves pursuant to chapter 39.94 RCW
32 for revenue generating facilities including cabins and yurts.

33 (b) Enter into a financing contract for up to \$2,135,000 plus
34 financing expenses and required reserves pursuant to chapter 39.94 RCW
35 for the Lake Sammamish concession and event facility.

**Sec. 6001 was partially vetoed. See message at end of chapter.*

36 ***NEW SECTION. Sec. 6002. FOR THE DEPARTMENT OF COMMERCE**

37 **The department of commerce shall work with stakeholders to develop**

1 *recommendations for a competitive grant program to assist the following*
2 *nonprofit arts and cultural organizations in acquiring, constructing,*
3 *or rehabilitating their facilities: Zoos, aquariums, and technology*
4 *and science centers. To be eligible, a zoo or aquarium must be an*
5 *organization accredited by the association of zoos and aquariums and a*
6 *technology and science center must be an organization that meets the*
7 *membership requirements of the association of science - technology*
8 *centers. The department and stakeholders shall consider the inclusion*
9 *of the conditions used in RCW 43.63A.750 to establish eligibility and*
10 *prioritization of funding. The department shall submit final*
11 *recommendations in the form of draft legislation to the office of*
12 *financial management and the legislature by October 1, 2012.*

**Sec. 6002 was vetoed. See message at end of chapter.*

13 NEW SECTION. **Sec. 6003.** A new section is added to 2011 1st sp.s.
14 c 49 (uncodified) to read as follows:

15 It is the intent of the legislature that the state dispose of its
16 interest in the Wellington Hills property. Net proceeds from the sale
17 of the Wellington Hills property shall be deposited into the University
18 of Washington building account. The University of Washington must
19 report to the office of financial management and the appropriate fiscal
20 committees of the legislature upon the sale of the property the total
21 sale value and net proceeds deposited into the University of Washington
22 building account.

23 **Sec. 6004.** RCW 43.155.050 and 2011 1st sp.s. c 50 s 951 are each
24 amended to read as follows:

25 The public works assistance account is hereby established in the
26 state treasury. Money may be placed in the public works assistance
27 account from the proceeds of bonds when authorized by the legislature
28 or from any other lawful source. Money in the public works assistance
29 account shall be used to make loans and to give financial guarantees to
30 local governments for public works projects. Moneys in the account may
31 also be appropriated to provide for state match requirements under
32 federal law for projects and activities conducted and financed by the
33 board under the drinking water assistance account. Not more than
34 fifteen percent of the biennial capital budget appropriation to the
35 public works board from this account may be expended or obligated for
36 preconstruction loans, emergency loans, or loans for capital facility

1 planning under this chapter; of this amount, not more than ten percent
2 of the biennial capital budget appropriation may be expended for
3 emergency loans and not more than one percent of the biennial capital
4 budget appropriation may be expended for capital facility planning
5 loans. ~~((For the 2007-2009 biennium, moneys in the account may be used
6 for grants for projects identified in section 138, chapter 488, Laws of
7 2005 and section 1033, chapter 520, Laws of 2007. During the 2009-2011
8 fiscal biennium, sums in the public works assistance account may be
9 used for the water pollution control revolving fund program match in
10 section 3013, chapter 36, Laws of 2010 1st sp. sess. During the 2009-
11 2011-fiscal-biennium, the legislature may transfer from the job
12 development fund to the general fund such amounts as reflect the excess
13 fund balance of the fund.))~~ During the 2011-2013 fiscal biennium, the
14 legislature may transfer from the public works assistance account to
15 the general fund, the water pollution control revolving account, and
16 the drinking water assistance account such amounts as reflect the
17 excess fund balance of the account. During the 2011-2013 fiscal
18 biennium, the legislature may appropriate moneys from the account for
19 economic development, innovation, and export grants, including
20 brownfields; main street improvement grants; and the loan program
21 consolidation board.

22 **Sec. 6005.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each
23 reenacted and amended to read as follows:

24 (1) The state toxics control account and the local toxics control
25 account are hereby created in the state treasury.

26 (2) The following moneys shall be deposited into the state toxics
27 control account: (a) Those revenues which are raised by the tax
28 imposed under RCW 82.21.030 and which are attributable to that portion
29 of the rate equal to thirty-three one-hundredths of one percent; (b)
30 the costs of remedial actions recovered under this chapter or chapter
31 70.105A RCW; (c) penalties collected or recovered under this chapter;
32 and (d) any other money appropriated or transferred to the account by
33 the legislature. Moneys in the account may be used only to carry out
34 the purposes of this chapter, including but not limited to the
35 following activities:

36 (i) The state's responsibility for hazardous waste planning,

1 management, regulation, enforcement, technical assistance, and public
2 education required under chapter 70.105 RCW;

3 (ii) The state's responsibility for solid waste planning,
4 management, regulation, enforcement, technical assistance, and public
5 education required under chapter 70.95 RCW;

6 (iii) The hazardous waste cleanup program required under this
7 chapter;

8 (iv) State matching funds required under the federal cleanup law;

9 (v) Financial assistance for local programs in accordance with
10 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

11 (vi) State government programs for the safe reduction, recycling,
12 or disposal of hazardous wastes from households, small businesses, and
13 agriculture;

14 (vii) Hazardous materials emergency response training;

15 (viii) Water and environmental health protection and monitoring
16 programs;

17 (ix) Programs authorized under chapter 70.146 RCW;

18 (x) A public participation program, including regional citizen
19 advisory committees;

20 (xi) Public funding to assist potentially liable persons to pay for
21 the costs of remedial action in compliance with cleanup standards under
22 RCW 70.105D.030(2)(e) but only when the amount and terms of such
23 funding are established under a settlement agreement under RCW
24 70.105D.040(4) and when the director has found that the funding will
25 achieve both (A) a substantially more expeditious or enhanced cleanup
26 than would otherwise occur, and (B) the prevention or mitigation of
27 unfair economic hardship;

28 (xii) Development and demonstration of alternative management
29 technologies designed to carry out the hazardous waste management
30 priorities of RCW 70.105.150;

31 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
32 update technical assistance;

33 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
34 permitting teams; and

35 (xv) During the 2011-2013 fiscal biennium, actions for reducing
36 public exposure to toxic air pollution, and actions taken through the
37 family forest fish passage program to correct barriers to fish passage
38 on privately owned small forest lands.

1 (3) The following moneys shall be deposited into the local toxics
2 control account: Those revenues which are raised by the tax imposed
3 under RCW 82.21.030 and which are attributable to that portion of the
4 rate equal to thirty-seven one-hundredths of one percent.

5 (a) Moneys deposited in the local toxics control account shall be
6 used by the department for grants or loans to local governments for the
7 following purposes in descending order of priority:

8 (i) Remedial actions;

9 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

10 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
11 70.95I, and 70.105 RCW;

12 (iv) Funds for a program to assist in the assessment and cleanup of
13 sites of methamphetamine production, but not to be used for the initial
14 containment of such sites, consistent with the responsibilities and
15 intent of RCW 69.50.511; and

16 (v) Cleanup and disposal of hazardous substances from abandoned or
17 derelict vessels, defined for the purposes of this section as vessels
18 that have little or no value and either have no identified owner or
19 have an identified owner lacking financial resources to clean up and
20 dispose of the vessel, that pose a threat to human health or the
21 environment.

22 (b) Funds for plans and programs shall be allocated consistent with
23 the priorities and matching requirements established in chapters
24 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
25 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
26 project that is referenced in the action agenda developed by the Puget
27 Sound partnership under RCW 90.71.310, shall, except as conditioned by
28 RCW 70.105D.120, receive priority for any available funding for any
29 grant or funding programs or sources that use a competitive bidding
30 process. During the 2007-2009 fiscal biennium, moneys in the account
31 may also be used for grants to local governments to retrofit public
32 sector diesel equipment and for storm water planning and implementation
33 activities.

34 (c) To expedite cleanups throughout the state, the department shall
35 partner with local communities and liable parties for cleanups. The
36 department is authorized to use the following additional strategies in
37 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 (d) To facilitate and expedite cleanups using funds from the local
16 toxics control account, during the 2009-2011 fiscal biennium the
17 director may establish grant-funded accounts to hold and disperse local
18 toxics control account funds and funds from local governments to be
19 used for remedial actions.

20 (4) Except for unanticipated receipts under RCW 43.79.260 through
21 43.79.282, moneys in the state and local toxics control accounts may be
22 spent only after appropriation by statute.

23 (5) Except during the 2009-2011 fiscal biennium, one percent of the
24 moneys deposited into the state and local toxics control accounts shall
25 be allocated only for public participation grants to persons who may be
26 adversely affected by a release or threatened release of a hazardous
27 substance and to not-for-profit public interest organizations. The
28 primary purpose of these grants is to facilitate the participation by
29 persons and organizations in the investigation and remedying of
30 releases or threatened releases of hazardous substances and to
31 implement the state's solid and hazardous waste management priorities.
32 No grant may exceed sixty thousand dollars. Grants may be renewed
33 annually. Moneys appropriated for public participation from either
34 account which are not expended at the close of any biennium shall
35 revert to the state toxics control account.

36 (6) No moneys deposited into either the state or local toxics
37 control account may be used for solid waste incinerator feasibility
38 studies, construction, maintenance, or operation, or, after January 1,

1 2010, for projects designed to address the restoration of Puget Sound,
2 funded in a competitive grant process, that are in conflict with the
3 action agenda developed by the Puget Sound partnership under RCW
4 90.71.310.

5 (7) The department shall adopt rules for grant or loan issuance and
6 performance.

7 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the
8 legislature may transfer from the local toxics control account to
9 either the state general fund or the oil spill prevention account, or
10 both such amounts as reflect excess fund balance in the account.

11 (9) During the 2009-2011 fiscal biennium, the local toxics control
12 account may also be used for a standby rescue tug at Neah Bay, local
13 government shoreline update grants, private and public sector diesel
14 equipment retrofit, and oil spill prevention, preparedness, and
15 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 (11) During the 2011-2013 fiscal biennium, the local toxics control
20 account may also be used for local government shoreline update grants
21 and actions for reducing public exposure to toxic air pollution;
22 funding to local governments for flood levee improvements; and grants
23 to local governments for brownfield redevelopment.

24 **Sec. 6006.** RCW 79.17.010 and 2009 c 497 s 6024 are each amended to
25 read as follows:

26 (1) The department, with the approval of the board, may exchange
27 any state land and any timber thereon for any land of equal value in
28 order to:

- 29 (a) Facilitate the marketing of forest products of state lands;
- 30 (b) Consolidate and block-up state lands;
- 31 (c) Acquire lands having commercial recreational leasing potential;
- 32 (d) Acquire county-owned lands;
- 33 (e) Acquire urban property which has greater income potential or
34 which could be more efficiently managed by the department in exchange
35 for state urban lands as defined in RCW 79.19.100; or
- 36 (f) Acquire any other lands when such exchange is determined by the

1 board to be in the best interest of the trust for which the state land
2 is held.

3 (2) Land exchanged under this section shall not be used to reduce
4 the publicly owned forest land base.

5 (3) The board shall determine that each land exchange is in the
6 best interest of the trust for which the land is held prior to
7 authorizing the land exchange.

8 (4) During the biennium ending June 30, (~~2011~~) 2013, for the
9 purposes of maintaining working farm and forest landscapes or acquiring
10 natural resource lands at risk of development, the department, with
11 approval of the board of natural resources, may exchange any state land
12 and any timber thereon for any land and proceeds of equal value, when
13 it can be demonstrated that the trust fiduciary obligations can be
14 better fulfilled after an exchange is completed. Proceeds may be in
15 the form of cash or services in order to achieve the purposes
16 established in this section. Any cash received as part of an exchange
17 transaction shall be deposited in the resource management cost account
18 to pay for administrative expenses incurred in carrying out an exchange
19 transaction. These administrative expenses include road maintenance
20 and abandonment expenses. The amount of proceeds received from the
21 exchange partner may not exceed five percent of the total value of the
22 exchange. The receipt of proceeds shall not change the character of
23 the transaction from an exchange to a sale.

24 (5) Prior to executing an exchange under this section, and in
25 addition to the public notice requirements set forth in RCW 79.17.050,
26 the department shall consult with legislative members, other state and
27 federal agencies, local governments, tribes, local stakeholders,
28 conservation groups, and any other interested parties to identify and
29 address cultural resource issues and the potential of the state lands
30 proposed for exchange to be used for open space, park, school, or
31 critical habitat purposes.

32 **Sec. 6007.** RCW 79.17.020 and 2009 c 497 s 6025 are each amended to
33 read as follows:

34 (1) The board of county commissioners of any county and/or the
35 mayor and city council or city commission of any city or town and/or
36 the board shall have authority to exchange, each with the other, or
37 with the federal forest service, the federal government or any proper

1 agency thereof and/or with any private landowner, county land of any
2 character, land owned by municipalities of any character, and state
3 forest land owned by the state under the jurisdiction of the
4 department, for real property of equal value for the purpose of
5 consolidating and blocking up the respective land holdings of any
6 county, municipality, the federal government, or the state of
7 Washington or for the purpose of obtaining lands having commercial
8 recreational leasing potential.

9 (2) During the biennium ending June 30, (~~2011~~) 2013, for the
10 purposes of maintaining working farm and forest landscapes or acquiring
11 natural resource lands at risk of development, the department, with
12 approval of the board of natural resources, may exchange any state land
13 and any timber thereon for any land and proceeds of equal value, when
14 it can be demonstrated that the trust fiduciary obligations can be
15 better fulfilled after an exchange is completed. Proceeds may be in
16 the form of cash or services in order to achieve the purposes
17 established in this section. Any cash received as part of an exchange
18 transaction shall be deposited in the forest development account to pay
19 for administrative expenses incurred in carrying out an exchange
20 transaction. These administrative expenses include road maintenance
21 and abandonment expenses. The amount of proceeds received from the
22 exchange partner may not exceed five percent of the total value of the
23 exchange. The receipt of proceeds shall not change the character of
24 the transaction from an exchange to a sale.

25 (3) Prior to executing an exchange under this section, and in
26 addition to the public notice requirements set forth in RCW 79.17.050,
27 the department shall consult with legislative members, other state and
28 federal agencies, local governments, tribes, local stakeholders,
29 conservation groups, and any other interested parties to identify and
30 address cultural resource issues, and the potential of the state lands
31 proposed for exchange to be used for open space, park, school, or
32 critical habitat purposes.

33 **Sec. 6008.** RCW 79.105.150 and 2011 2nd sp.s. c 9 s 6009 are each
34 amended to 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 2009-2011 and
8 2011-2013 fiscal biennia, the aquatic lands enhancement account may
9 also be used for scientific research as part of the adaptive management
10 process and for developing a planning report for McNeil Island. During
11 the 2009-2011 and 2011-2013 fiscal biennia, the legislature may
12 transfer from the aquatic lands enhancement account to the state
13 general fund such amounts as reflect excess fund balance of the
14 account. During the 2011-2013 fiscal biennium, the aquatic lands
15 enhancement account may be used to support the shellfish program, the
16 ballast water program, and the Puget Sound toxic sampling program at
17 the department of fish and wildlife, (~~and~~) the knotweed program at
18 the department of agriculture, and the Puget SoundCorps program.

19 (2) In providing grants for aquatic lands enhancement projects, the
20 recreation and conservation funding board shall:

21 (a) Require grant recipients to incorporate the environmental
22 benefits of the project into their grant applications;

23 (b) Utilize the statement of environmental benefits, consideration,
24 except as provided in RCW 79.105.610, of whether the applicant is a
25 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
26 referenced in the action agenda developed by the Puget Sound
27 partnership under RCW 90.71.310, and except as otherwise provided in
28 RCW 79.105.630, and effective one calendar year following the
29 development and statewide availability of model evergreen community
30 management plans and ordinances under RCW 35.105.050, whether the
31 applicant is an entity that has been recognized, and what gradation of
32 recognition was received, in the evergreen community recognition
33 program created in RCW 35.105.030 in its prioritization and selection
34 process; and

35 (c) Develop appropriate outcome-focused performance measures to be
36 used both for management and performance assessment of the grants.

37 (3) To the extent possible, the department should coordinate its

1 performance measure system with other natural resource-related agencies
2 as defined in RCW 43.41.270.

3 (4) The department shall consult with affected interest groups in
4 implementing this section.

5 (5) After January 1, 2010, any project designed to address the
6 restoration of Puget Sound may be funded under this chapter only if the
7 project is not in conflict with the action agenda developed by the
8 Puget Sound partnership under RCW 90.71.310.

9 NEW SECTION. **Sec. 6009. FOR THE STATE TREASURER--TRANSFERS**

10 State Taxable Building Construction Account: For transfer to the
11 Columbia River Basin Taxable Bond Water Supply Development Account, an
12 amount not to exceed \$10,404,000.

13 NEW SECTION. **Sec. 6010.** A new section is added to 2011 1st sp.s.
14 c 49 (uncodified) to read as follows:

15 **NONTAXABLE AND TAXABLE BOND PROCEEDS**

16 Portions of the appropriation authority granted by this act from
17 the state building construction account, or any other account receiving
18 bond proceeds, may be transferred to the state taxable building
19 construction account as deemed necessary by the state finance committee
20 to comply with the federal internal revenue service rules and
21 regulations pertaining to the use of nontaxable bond proceeds.
22 Portions of the general obligation bond proceeds authorized by chapter
23 49, Laws of 2011 1st sp. sess. for deposit into the state taxable
24 building construction account that are in excess of amounts required to
25 comply with the federal internal revenue service rules and regulations
26 shall be deposited into the state building construction account. The
27 state treasurer shall submit written notification to the director of
28 financial management if it is determined that a shift of appropriation
29 authority between the state building construction account, or any other
30 account receiving bond proceeds, and the state taxable building
31 construction account is necessary, or that a shift of appropriation
32 authority from the state taxable building construction account to the
33 state building construction account may be made.

34 NEW SECTION. **Sec. 6011.** The office of financial management, in
35 consultation with the legislative fiscal committees, shall choose a

1 consultant to identify and evaluate options for the efficient and cost-
2 effective incarceration by the department of corrections of adult
3 prison offenders forecasted over the next ten years. Options to be
4 evaluated must include, but are not limited to: (1) Construction of
5 one or more new prisons; (2) construction of new prison units at
6 existing facilities; (3) replacement, remodeling, or repurposing of
7 existing, aged, inefficient capacity; and (4) management and use of
8 emergency beds. The study must include, for each option, the estimated
9 capital, operating, and debt service costs for the next ten years. The
10 study must also discuss the risks, advantages, and disadvantages of
11 each option. In addition, the department must identify all emergency
12 beds, their current status, and the cost to bring on-line and operate
13 any currently empty emergency beds and projected needs. The report
14 must be submitted to the governor and the fiscal committees of the
15 legislature no later than October 1, 2012.

16 NEW SECTION. **Sec. 6012.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 6013.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of the
22 state government and its existing public institutions, and takes effect
23 immediately.

(End of Bill)

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Passed by the Senate April 11, 2012.

Passed by the House April 11, 2012.

Approved by the Governor April 23, 2012, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 24, 2012.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Sections 1020, 3017, 6001(5) (b), and 6002, Engrossed Senate Bill 6074 entitled:

"AN ACT Relating to funding capital projects."

Section 1020, pages 16-18, Office of Financial Management, Loan Program Consolidation Board

This proviso creates a loan program consolidation board to recommend a plan to consolidate under a single financing authority all existing state lending programs, including infrastructure and student loan programs. There have been five prior studies reviewing consolidation of infrastructure programs within the last six years. The most recent study was completed by the Public Works Board following the 2011 legislative session and provides ample information for a potential

consolidation. Additionally, I do not believe it is appropriate for student loan programs to be comingled with infrastructure programs targeted to local governments and community groups. The Student Achievement Council is tasked to convene a work group on the higher education loan program and can better focus on reforming that program to meet the needs of today's students. For these reasons, I have vetoed Section 1020.

Section 3017, page 36, and Section 6001(5)(b), page 55, State Parks and Recreation Commission, Lake Sammamish Concession and Event Facility

The State Parks and Recreation Commission is provided \$1 million in general obligation bonds and authorization to enter into a certificate of participation financing contract for \$2.1 million to build a concession and event facility at Lake Sammamish. It is not anticipated that the revenue initially generated by the event center will be adequate to cover the associated debt and operating costs. Additionally, other revenue generated by the State Parks and Recreation Commission is not stable enough to cover these costs if facility revenues are inadequate. For these reasons, I have vetoed Section 3017 and Section 6001(5)(b), but I encourage the commission to resubmit this project for consideration for the next supplemental capital budget if the revenue outlook improves.

Section 6002, pages 55-56, Department of Commerce

The Department of Commerce is directed to work with stakeholders to develop recommendations for a competitive grant program to assist zoos, aquariums, and technology and science centers in acquiring, constructing, or rehabilitating their facilities. A funding mechanism for these organizations was the subject of legislation that failed to pass this session.

For this reason, I have vetoed Section 6002, but I encourage the organizations to continue to work with legislators, rather than the department, to address their concerns with developing a capital funding program for their facility needs.

Although I am approving the remainder of the capital budget, I am concerned about the long-term implications of over-appropriating the State and Local Toxics Control Accounts, the Aquatic Lands Enhancement Account, and other natural resource accounts in both the capital and operating budgets. I have directed the Office of Financial Management to work with the Department of Ecology and the Recreation and Conservation Office to develop a plan to manage these accounts to prevent a cash deficit. However, there is a risk that lower revenue collections or accelerated project costs could create the need to suspend projects to balance the accounts. While I value the economic activity and jobs that are created in the capital budget, I ask the Legislature to return to budgeting practices that result in sustainable capital plans with positive fund balances.

With the exception of Sections 1020, 3017, 6001(5)(b), and 6002, Engrossed Senate Bill 6074 is approved."