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**ENGROSSED SUBSTITUTE SENATE BILL 5693**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Rolfes, L. Wilson, and Nguyen; by request of Office of Financial Management)

AN ACT Relating to fiscal matters; amending RCW 28C.04.525, 41.60.050, 43.31.605, 43.41.450, 43.43.837, 43.79.505, 43.83B.430, 43.101.435, 43.216.1368, 43.216.270, 43.348.080, 50A.10.030, 70A.200.140, 74.46.561, 76.04.516, and 79A.80.020; amending 2021 c 334 ss 1, 101, 102, 103, 104, 105, 106, 107, 108, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 704, 705, 715, 718, 753, 706, 723, 724, 748, 801, 802, 803, 805, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 928, 929, 930, 932, 933, 934, 935, 936, 940, 941, 942, 943, 945, 946, 947, 948, and 939 (uncodified); adding new sections to chapter 43.79 RCW; adding new sections to 2021 c 334 (uncodified); repealing 2021 c 334 ss 730, 731, 732, 733, 734, 735, 736, 737, 749, and 752 (uncodified); making appropriations; and declaring an emergency.

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

**Sec.**  2021 c 334 s 1 (uncodified) is amended to read as follows:

(1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2021, and ending June 30, 2023, except as otherwise provided, out of the several funds of the state hereinafter named.

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

(a) "ARPA" means the American rescue plan act of 2021, P.L. 117-2.

(b) "CARES" means the coronavirus aid, relief, and economic security act, P.L. 116-136.

(c) "CRF" means the coronavirus relief fund created by section 5001, the coronavirus aid, relief, and economic security act, P.L. 116-136, division A.

(d) "CRRSA" means the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(e) "CRRSA/ESSER" means the elementary and secondary school emergency relief fund, as modified by the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(f) "Dedicated marijuana account" means the dedicated cannabis account, if Engrossed Second Substitute Senate Bill No. 5796 is enacted.

(g) "Fiscal year 2022" or "FY 2022" means the fiscal year ending June 30, 2022.

((~~(g)~~)) (h) "Fiscal year 2023" or "FY 2023" means the fiscal year ending June 30, 2023.

((~~(h)~~)) (i) "FTE" means full time equivalent.

((~~(i)~~)) (j) "Lapse" or "revert" means the amount shall return to an unappropriated status.

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

(3) Whenever the terms in subsection (2)(a) through (e) of this section are used in the context of a general fund—federal appropriation, the term is used to attribute the funding to that federal act.

**PART I**

**GENERAL GOVERNMENT**

**Sec.**  2021 c 334 s 101 (uncodified) is amended to read as follows:

**FOR THE HOUSE OF REPRESENTATIVES**

General Fund—State Appropriation (FY 2022) ((~~$45,740,000~~))

$46,603,000

General Fund—State Appropriation (FY 2023) ((~~$46,804,000~~))

$51,643,000

TOTAL APPROPRIATION ((~~$92,544,000~~))

$98,246,000

The appropriations in this section are subject to the following conditions and limitations: $5,000 of the general fund—state appropriation for fiscal year 2022 and $7,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the joint legislative task force on the future of the Washington fish and wildlife commission created in section 940 of this act.

**Sec.**  2021 c 334 s 102 (uncodified) is amended to read as follows:

**FOR THE SENATE**

General Fund—State Appropriation (FY 2022) ((~~$32,755,000~~))

$33,520,000

General Fund—State Appropriation (FY 2023) ((~~$35,699,000~~))

$40,206,000

TOTAL APPROPRIATION ((~~$68,454,000~~))

$73,726,000

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

(1) $260,000 of the general fund—state appropriation for fiscal year 2022 and $270,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

(2) $5,000 of the general fund—state appropriation for fiscal year 2022 and $7,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the joint legislative task force on the future of the Washington fish and wildlife commission created in section 940 of this act.

(3) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a work group to continue the senate's examination of employment practices and policies and to develop options and recommendations for the senate.

(a) The work group is composed of the following 17 members:

(i) Two legislative assistants from each of the two largest caucuses of the senate;

(ii) One nonsupervisory staff and one supervisory staff from each of the two largest caucuses of the senate;

(iii) One committee assistant, one coordinator, one analyst or counsel, and one administrative staff from senate committee services;

(iv) One nonsupervisory staff and one supervisory staff from senate administration;

(v) The secretary of the senate or their designee; and

(vi) The senate human resource director and senate diversity, equity, and inclusion coordinator.

(b) Staff who wish to be appointed to the work group must submit an application to the office of human resources. The senate human resource officer shall make recommendations to the senate facilities and operations committee who shall then confirm appointments to the work group.

(c) The secretary of the senate shall contract for an external facilitator to staff and assist the work group. The facilitator must have a background or experience in organizational development. The secretary may also contract for legal services and other expert services, as necessary, to assist the work group.

(d) The work group shall consider issues related to employment practices and policies including, but not limited to:

(i) The supervisory structure of employees;

(ii) Workplace terms and conditions; and

(iii) Professional development.

(e) The expenses of the work group must be paid from the amount appropriated in this section subject to approval by the senate facilities and operations committee.

(f) The work group must report its findings and recommendations to the senate facilities and operations committee by December 1, 2022.

**Sec.**  2021 c 334 s 103 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) $303,000

General Fund—State Appropriation (FY 2023) $248,000

Performance Audits of Government Account—State

Appropriation ((~~$9,384,000~~))

$10,047,000

TOTAL APPROPRIATION ((~~$9,935,000~~))

$10,598,000

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

(1) $273,000 of the general fund—state appropriation for fiscal year 2022 and $244,000 of the general fund—state appropriation for fiscal year 2023 are provided ((~~solely~~)) for implementation of Engrossed Substitute Senate Bill No. 5405 (racial equity analyses). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(2) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2021-2023 work plan as necessary to efficiently manage workload.

(3) $20,000 of the general fund—state appropriation for fiscal year 2022 and $2,000 of the general fund—state appropriation for fiscal year 2023 are provided ((~~solely~~)) to implement House Bill No. 1296 (behavioral health service organizations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(4) $10,000 of the general fund—state appropriation for fiscal year 2022 and $2,000 of the general fund—state appropriation for fiscal year 2023 are provided ((~~solely~~)) to implement Second Substitute House Bill No. 1033 (employment training program). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $50,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute Senate Bill No. 5268 (developmental disability services). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(6) Sufficient funding is appropriated in this section to conduct performance audits related to state agency programs and services to address the needs of farmworkers. The audits will assess how the agency is administering the programs and enforcing the relevant laws and provide recommendations to improve service delivery and effectiveness for the protection and needs farmworkers. The committee must incorporate the performance audits in this subsection into its work plan and must provide annual progress reports on their status. The committee may prioritize its work based on available resources and staff capacity, and may contract for services as necessary, to complete the following performance audits:

(a) The department of labor and industries' programs and responsibilities to investigate and enforce:

(i) Wage and hour laws applicable to farmworkers;

(ii) Workplace health and safety standards applicable to farmworkers; and

(iii) Laws prohibiting harassment, discrimination, and retaliation against farmworkers for, among other things, asserting their rights regarding health and safety standards and wage and hour laws;

(b) The employment security department's administration of the H-2A program; and

(c) The department of health's administration of laws and rules related to pesticide safety that are intended to protect farmworkers from hazardous exposures.

(7) $42,000 of the performance audits of government account—state appropriation is for implementation of Second Substitute Senate Bill No. 5649 (family and medical leave). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 104 (uncodified) is amended to read as follows:

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

Performance Audits of Government Account—State

Appropriation ((~~$4,664,000~~))

$4,734,000

TOTAL APPROPRIATION ((~~$4,664,000~~))

$4,734,000

**Sec.**  2021 c 334 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2022) ((~~$14,173,000~~))

$14,465,000

General Fund—State Appropriation (FY 2023) ((~~$14,235,000~~))

$16,158,000

TOTAL APPROPRIATION ((~~$28,408,000~~))

$30,623,000

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

**Sec.**  2021 c 334 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2022) $367,000

General Fund—State Appropriation (FY 2023) ((~~$382,000~~))

$895,000

State Health Care Authority Administrative Account—

State Appropriation ((~~$249,000~~))

$254,000

Department of Retirement Systems Expense Account—

State Appropriation ((~~$6,095,000~~))

$6,201,000

School Employees' Insurance Administrative Account—

State Appropriation $250,000

TOTAL APPROPRIATION ((~~$7,343,000~~))

$7,967,000

The appropriations in this section are subject to the following conditions and limitations: $503,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for actuarial support for the long-term services and support trust program, including an actuarial audit and valuation of the long-term services and supports trust fund that incorporates the impact of the exemptions granted by the employment security department.

**Sec.**  2021 c 334 s 107 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2022) $5,366,000

General Fund—State Appropriation (FY 2023) ((~~$5,766,000~~))

$5,941,000

TOTAL APPROPRIATION ((~~$11,132,000~~))

$11,307,000

**Sec.**  2021 c 334 s 108 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2022) $4,566,000

General Fund—State Appropriation (FY 2023) ((~~$5,029,000~~))

$5,198,000

TOTAL APPROPRIATION ((~~$9,595,000~~))

$9,764,000

**Sec.**  2021 c 334 s 111 (uncodified) is amended to read as follows:

**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2022) ((~~$9,781,000~~))

$9,744,000

General Fund—State Appropriation (FY 2023) ((~~$9,848,000~~))

$11,045,000

TOTAL APPROPRIATION ((~~$19,629,000~~))

$20,789,000

**Sec.**  2021 c 334 s 112 (uncodified) is amended to read as follows:

**FOR THE LAW LIBRARY**

General Fund—State Appropriation (FY 2022) ((~~$1,811,000~~))

$1,792,000

General Fund—State Appropriation (FY 2023) ((~~$1,821,000~~))

$1,936,000

TOTAL APPROPRIATION ((~~$3,632,000~~))

$3,728,000

**Sec.**  2021 c 334 s 113 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2022) ((~~$1,650,000~~))

$1,638,000

General Fund—State Appropriation (FY 2023) ((~~$1,649,000~~))

$1,682,000

TOTAL APPROPRIATION ((~~$3,299,000~~))

$3,320,000

**Sec.**  2021 c 334 s 114 (uncodified) is amended to read as follows:

**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2022) ((~~$21,818,000~~))

$21,706,000

General Fund—State Appropriation (FY 2023) ((~~$22,146,000~~))

$22,729,000

TOTAL APPROPRIATION ((~~$43,964,000~~))

$44,435,000

**Sec.**  2021 c 334 s 115 (uncodified) is amended to read as follows:

**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2022) ((~~$157,168,000~~))

$88,031,000

General Fund—State Appropriation (FY 2023) ((~~$81,033,000~~))

$125,158,000

General Fund—Federal Appropriation $2,209,000

General Fund—Private/Local Appropriation $681,000

Judicial Stabilization Trust Account—State

Appropriation ((~~$6,692,000~~))

$164,192,000

Judicial Information Systems Account—State

Appropriation ((~~$60,664,000~~))

$61,550,000

TOTAL APPROPRIATION ((~~$308,447,000~~))

$441,821,000

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

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

(2)(a) $7,000,000 of the general fund—state appropriation for fiscal year 2022 and $7,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2021-2023 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for providing all courts with an electronic demographic survey for jurors who begin a jury term. The survey must collect data on each juror's race, ethnicity, age, sex, employment status, educational attainment, and income, as well as any other data approved by order of the chief justice of the Washington state supreme court. This electronic data gathering must be conducted and reported in a manner that preserves juror anonymity. The administrative office of the courts shall provide this demographic data in a report to the governor and the appropriate committees of the legislature, and publish a copy of the report on a publicly available internet address by June 30, 2023.

(4)(a) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the center for court research at the administrative office of the courts to review the number and types of young individuals placed on electronic home monitoring over a 10 year time period. The center for court research shall work in collaboration with the Washington state partnership council on juvenile justice and the juvenile block grant proviso committee (which includes a representative from the juvenile rehabilitation administration, the office of the administrator of the courts, the office of financial management, and the juvenile courts) to identify the number of individuals under the age of 26 that have been placed on electronic home monitoring by the department of children, youth, and families and the number of individuals placed on electronic home monitoring by or through juvenile courts from the year 2010 through 2020. At a minimum, the study must identify:

(i) How electronic home monitoring is defined and used by each entity;

(ii) The various types of electronic home monitoring services and the equipment used by each entity;

(iii) Whether the type of electronic home monitoring equipment used is different depending upon the age or type of the offender;

(iv) Whether the state or local entity provides the supervision and monitoring of individuals placed on electronic home monitoring or whether the supervision and monitoring are contracted services;

(v) By age, demographics, ethnicity, and race, the number of individuals that participated on electronic home monitoring each year;

(vi) By age, the offense committed that resulted in the individual being placed on electronic home monitoring, and the average duration of time individuals spent on electronic home monitoring; and

(vii) Whether electronic home monitoring was used as an alternative to or in lieu of incarceration or whether electronic home monitoring was used in addition to incarceration.

(b) The center for court research must complete a preliminary report by June 30, 2022, and submit a final report to the appropriate committees of the legislature by June 30, 2023.

(5) ((~~$44,500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to assist counties with costs of resentencing and vacating the sentences of defendants whose convictions or sentences are affected by the~~ *~~State v. Blake~~* ~~decision. Subject to the availability of amounts provided in this section, the office must provide grants to counties that demonstrate extraordinary judicial, prosecution, or defense expenses for those purposes. The office must establish an application process for county clerks to seek funding and an equitable prioritization process for distributing the funding.~~

~~(6) $23,500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to establish a legal financial obligation aid pool to assist counties that are obligated to refund legal financial obligations previously paid by defendants whose convictions or sentences were affected by the~~ *~~State v. Blake~~* ~~ruling. County clerks may apply to the administrative office of the courts for a grant from the pool to assist with extraordinary costs of these refunds. State aid payments made to a county from the pool must first be attributed to any legal financial obligations refunded by the county on behalf of the state. The office must establish an application process for county clerks to seek funding and an equitable prioritization process for distributing the funding.~~

~~(7)~~)) $44,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, and prosecution expenses for these purposes.

(6) $70,000,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a legal financial obligation aid pool for counties to refund legal financial obligations and collection costs previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Once a direct refund process is established, superior court clerks or district court administrators must certify, and send to the office, the amount of any refund ordered by the court.

(7) $1,782,000 of the general fund—state appropriation for fiscal year 2022 and $749,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1320 (civil protection orders). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(8) $68,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute House Bill No. 1219 (youth counsel-dependency). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(9) $110,000 of the general fund—state appropriation for fiscal year 2022 and $165,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of House Bill No. 1167 (Thurston county superior court judge). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(10) $1,094,000 of the general fund—state appropriation for fiscal year 2022 and $1,094,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(11) ((~~$4,505,000~~)) $6,430,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$4,505,000~~)) $8,216,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5160 (landlord-tenant relations), including the management of an eviction resolution pilot program. By June 30, 2022, the department shall provide to the legislature a detailed report of eviction resolution program expenditures and outcomes including but not limited to the number of dispute resolution centers participating in the program, the number of individuals served by dispute resolution centers in the program, the average cost of resolution proceedings, and the number of qualified individuals who applied but were unable to be served by dispute resolution centers due to lack of funding or other reasons. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(12) $325,000 of the general fund—state appropriation for fiscal year 2022 and $304,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute Senate Bill No. 5331 (early childhood court program). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(13) $44,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5226 (license suspensions/traffic). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(14) ((~~$8,000,000~~)) $3,000,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $3,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act in chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, ((~~2021~~)) 2022, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(15) $375,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$285,000~~)) $3,185,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for lease expenses and costs to relocate staff from the temple of justice to another workspace if the omnibus capital appropriation act provides funding for improvements to the heating, ventilation, lighting, and plumbing improvements to the temple of justice. Staff from the administrative office of the courts shall work with the department of enterprise services and the office of financial management to acquire temporary space in a state owned facility that meets the needs of the supreme court. If a state facility cannot be found, the court may acquire temporary workspace as it chooses.

(16) $63,000 of the general fund—state appropriation for fiscal year 2022 and $251,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to facilitate and coordinate the scheduling of resentencing hearings for individuals impacted by the *State v. Blake* decision.

(17) $830,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to address data quality issues across Washington state court management systems.

(18) $8,200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for assistance to trial courts across the state to address the trial court backlog created by the pandemic through the use of pro tem judges and backlog coordinators.

(19) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for audio visual upgrades in courtrooms across the state.

(20) $1,785,000 of the general fund—state appropriation for fiscal year 2022 and $3,215,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for distribution to the trial courts to address impacts of the COVID-19 pandemic.

(21) $4,900,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grant funding for the establishment of therapeutic courts.

(22) $520,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to establish pilot self-help centers in two courthouses, one on each side of the state.

(23) $82,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5490 (interbranch advisory committee). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(24) $341,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5575 (superior court judges in Snohomish county). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(25) $116,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5788 (minor guardianship). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(26) $2,025,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for activities of the office relating to the resentencing of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of all cause numbers impacted by *State v. Blake* going back to 1971; and

(b) Establish a process to locate and notify individuals of available refunds and notify those individuals of the application process necessary to claim the refund and issue payment from the legal financial obligation aid pool upon submission and approval of applications. The office shall continue to reimburse counties for any legal and financial obligation refunds made pursuant to a court order pending the implementation of a direct refund process.

(27) $23,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* ruling that arise from the city's role in operating the municipal criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, prosecution, and defense expenses for these purposes.

(28) $20,000,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a legal financial obligation aid pool for cities to refund legal financial obligations and collection costs previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Once a direct refund process is established, municipal administrators must certify, and send to the office, the amount of any refund ordered by the court.

(29) $1,892,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay.

**Sec.**  2021 c 334 s 116 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2022) ((~~$53,975,000~~))

$54,491,000

General Fund—State Appropriation (FY 2023) ((~~$54,202,000~~))

$58,154,000

General Fund—Federal Appropriation $362,000

General Fund—Private/Local Appropriation $30,000

Judicial Stabilization Trust Account—State

Appropriation ((~~$3,896,000~~))

$3,901,000

TOTAL APPROPRIATION ((~~$112,465,000~~))

$116,938,000

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

(1) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of public defense to contract with a free legal clinic that has a medical-legal partnership and that currently provides parent representation to at-risk clients in dependency cases in Snohomish, Skagit, and King counties. Within amounts appropriated, the clinic must provide legal representation to parents who are pregnant or recently postpartum who are at risk of child abuse or neglect reports or investigations.

(2) $900,000 of the general fund—state appropriation for fiscal year 2022 and $900,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the purpose of improving the quality of trial court public defense services. The office of public defense must allocate these amounts so that $450,000 per fiscal year is distributed to counties, and $450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(3) $5,000 of the general fund—state appropriation for fiscal year 2022 and $14,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute House Bill No. 1219 (youth counsel-dependency). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(4) $443,000 of the general fund—state appropriation for fiscal year 2022 and $683,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute House Bill No. 1140 (juvenile access to attorneys). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $5,500,000 of the general fund—state appropriation for fiscal year 2022 and $5,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to assist counties with public defense costs related to vacating the sentences of defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amounts provided in this subsection:

(a) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight and for administering financial assistance for public defense costs related to *State v. Blake* impacts; and

(b) $5,100,000 of the general fund—state appropriation for fiscal year 2022 and $5,100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants allocated for public defense assistance. The allocation of grant funding shall be determined based upon a formula as established by the office of public defense, and must be provided: (i) To assist counties providing counsel for clients seeking to vacate a sentence or to be resentenced under the *State v. Blake* decision; and (ii) to assist counties that may designate the office of public defense to contract directly with attorneys to represent and assist clients seeking to vacate a sentence or to be resentenced under the *State v. Blake* decision.

(6) $286,000 of the general fund—state appropriation for fiscal year 2022 and $1,008,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of a triage team to provide statewide support to the management and flow of hearings for incarcerated individuals impacted by the *State v. Blake* decision.

(7) $153,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to cover fees charged by county clerks for electronic access to court documents for staff and contracted public defense attorneys.

(8) $20,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the research and development of a proposal for the office of public defense to assume statewide administration of public defense services involving legal proceedings for indigent persons who are not guilty by reason of insanity.

(9) $41,000 of the general fund—state appropriation for fiscal year 2022 and $286,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for two managing attorney positions within the office of public defense.

**Sec.**  2021 c 334 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2022) ((~~$41,280,000~~))

$41,709,000

General Fund—State Appropriation (FY 2023) ((~~$42,685,000~~))

$46,851,000

General Fund—Federal Appropriation $379,000

Judicial Stabilization Trust Account—State

Appropriation $1,464,000

TOTAL APPROPRIATION ((~~$85,808,000~~))

$90,403,000

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

(1) An amount not to exceed $40,000 of the general fund—state appropriation for fiscal year 2022 and an amount not to exceed $40,000 of the general fund—state appropriation for fiscal year 2023 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) The office of civil legal aid shall enter into an interagency agreement with the department of children, youth, and families to facilitate the use of federal title IV-E reimbursement for child representation services.

(3) $568,000 of the general fund—state appropriation for fiscal year 2022 is appropriated solely to continue and expand civil legal representation for tenants in eviction cases.

(4) Up to $165,000 of the general fund—state appropriation for
fiscal year 2022 may be used to wind down the children's representation study authorized in section 28, chapter 20, Laws of 2017 3rd sp. sess.

(5) $5,440,000 of the general fund—state appropriation for fiscal year 2022 and $5,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to continue civil legal assistance to individuals and families directly and indirectly affected by the COVID-19 pandemic and its related health, social, economic, legal, and related consequences.

(6) $159,000 of the general fund—state appropriation for fiscal year 2022 and $1,511,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute House Bill No. 1219 (youth counsel/dependency). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(7) ((~~$10,772,000~~)) $11,122,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$11,478,000~~)) $12,957,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5160 (landlord-tenant relations), including representation of indigent tenants in unlawful detainer cases. By June 30, 2022, the department shall provide to the legislature a detailed report of program expenditures and outcomes including but not limited to the number of individuals served, the average cost of a representation case, and the number of qualified individuals who qualified for but were unable to receive representation for funding or other reasons. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(8) $600,000 of the general fund—state appropriation for fiscal year 2022 and $600,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to provide online automated plain language forms, outreach, education, technical assistance, and some legal assistance to help resolve civil matters surrounding legal financial obligations and vacating the sentences of defendants whose convictions or sentences are affected by the *State v. Blake* decision.

(9) $78,000 of the general fund—state appropriation for fiscal year 2022 and $313,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of civil legal aid to cover the cost of contract adjustments necessary to conform attorney contracting practices with applicable caseload standards established by the supreme court commission on children in foster care.

(10) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office to cover the cost of providing legal assistance to tenants prior to the filing of an unlawful detainer action.

(11) $350,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office to improve access for kinship caregivers to complex legal guardianship proceedings by covering the cost of providing guidance and advice for relative caregivers on the process of becoming a legal guardian and other related legal proceedings.

**Sec.**  2021 c 334 s 118 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2022) ((~~$11,093,000~~))

$11,723,000

General Fund—State Appropriation (FY 2023) ((~~$10,920,000~~))

$16,349,000

Economic Development Strategic Reserve Account—State

Appropriation $5,000,000

TOTAL APPROPRIATION ((~~$27,013,000~~))

$33,072,000

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

(1) ((~~$703,000~~)) $817,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$803,000~~)) $1,146,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the education ombuds.

(2) $1,289,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,289,000~~)) $2,041,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement the provisions of chapter 332, Laws of 2020 (state equity office).

(3) $123,000 of the general fund—state appropriation for fiscal year 2022 and $118,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5119 (individuals in custody). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(4) ((~~$230,000~~)) $180,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$120,000~~)) $209,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5126 (climate commitment act). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $33,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the office of the education ombuds to support the language access work group that is reconvened and expanded in section 501(3)(g) of this act.

(6)(a) $20,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the Washington state LGBTQ commission, in collaboration with the health care authority, department of health, advocates for people living with HIV in Washington, consumers, and medical professionals with expertise in serving the medicaid population living with HIV, to consider and develop recommendations regarding:

(i) Access to HIV antiretroviral drugs on the medicaid drug formulary, including short- and long-term fiscal implications of eliminating current prior authorization and fail-first requirements;

(ii) Impact of drug access on public health and the statewide goal of reducing HIV transmissions; and

(iii) Maximizing pharmaceutical drug rebates for HIV antiretroviral drugs.

(b) The commission shall submit a brief report with recommendations to the appropriate committees of the legislature by November 1, 2021.

(7) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the cost to support the blue ribbon commission on the intersection of the criminal justice and behavioral health crisis systems that will be established by governor executive order.

(8) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum, as provided in section 129(70) of this act, with the statewide broadband office.

(9) $80,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of equity to develop resources and provide technical assistance to state agencies on best practices on how to engage communities regarding equity and inclusion when creating equitable budget and policy recommendations.

(10) $350,000 of the general fund—state appropriation for fiscal year 2022 and $25,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to complete an analysis on options to replace the benefits of the four lower Snake river dams as part of a comprehensive salmon recovery strategy for the Columbia and Snake river basins. The analysis shall be completed by July 30, 2022.

(11) $2,484,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5036 (total confinement release). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(12) Within the amounts appropriated in this section, the governor's office must convene a clean energy workforce transition work group including, but not limited to, the department of commerce, the department of ecology, the employment security department, and representatives of business and labor. The work group must assess workforce development impacts of the effects of climate change as well as the impact of the state's strategies to building a just transition to a clean economy and develop policy and practice recommendations on emerging issues in workforce development related to climate change. By December 1, 2022, the work group must submit its report and recommendations to the appropriate committees of the legislature in an electronic format as required by RCW 43.01.036.

(13) $400,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of equity to facilitate a work group to define "by and for organizations" and recommend policy and systems change to promote equitable policies, practices, and outcomes for "by and for organizations" in public grant making and public contracting with nonprofit organizations. For the purpose of this subsection, "public contracting" means contracting for public works and the procurement of goods and services. The office of equity may contract for services to fulfill the requirements of this section. The work group shall report their findings to the office of the governor and appropriate committees of the legislature by December 31, 2022. The work group is composed of the following members:

(a) The director of the office of equity, or the director's designee, who shall serve as the chair of the work group;

(b) Five representatives from the public, with one representative appointed by each of the following state commissions:

(i) The Washington state commission on African American affairs;

(ii) The Washington state LGBTQ commission;

(iii) The Washington state commission on Hispanic affairs;

(iv) The Washington state commission on Asian Pacific American affairs;

(v) The Washington state women's commission; and

(vi) The office of minority and women's business enterprises established in chapter 39.19 RCW; and

(c) Up to three additional members, appointed by the director of the office of equity, to ensure diverse representation of members by geography and identity.

(14) $50,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the governor to invite federally recognized tribes, legislative leadership, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agriculture organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The recommendations must include:

(i) Ideas for improvements to land use planning and development that ensure the protection and recovery of salmon;

(ii) Standards to protect areas adjacent to streams and rivers;

(iii) Standards to restore areas adjacent to streams and rivers;

(iv) Financial incentives for landowners to protect and restore streamside habitat;

(v) Recommendations to improve salmon recovery program coordination among state agencies; and

(vi) Recommendations for additional changes when voluntary measures and financial incentives do not achieve streamside protection and restoration.

(b) Preliminary recommendations shall be submitted to the legislature and governor by October 1, 2022, with a final report by November 1, 2022.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

**Sec.**  2021 c 334 s 119 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2022) ((~~$1,880,000~~))

$1,861,000

General Fund—State Appropriation (FY 2023) ((~~$1,598,000~~))

$1,448,000

General Fund—Private/Local Appropriation $90,000

TOTAL APPROPRIATION ((~~$3,568,000~~))

$3,399,000

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

(1) $300,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the legislative committee on economic development and international relations to conduct a business competitiveness analysis of the state's economy. Expenditure of the amount provided in this section must comply with chapter 39.26 RCW.

(2) $13,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5756 (semiquincentennial committee). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 120 (uncodified) is amended to read as follows:

**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$5,724,000~~))

$5,729,000

General Fund—State Appropriation (FY 2023) ((~~$5,545,000~~))

$5,913,000

Public Disclosure Transparency Account—State

Appropriation ((~~$1,014,000~~))

$934,000

TOTAL APPROPRIATION ((~~$12,283,000~~))

$12,576,000

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

(1) $280,000 of the public disclosure transparency account—state appropriation is provided solely for staff for business analysis and project management of information technology projects.

(2) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.

(3) $424,000 of the public disclosure transparency account—state appropriation is provided solely for information technology staffing to meet the demands of maintaining online filing and disclosure systems.

(4) $180,000 of the public disclosure transparency account—state appropriation is provided solely for a dedicated training and outreach staff to develop course materials and facilitate the creation of an expanded filer training program.

**Sec.**  2021 c 334 s 121 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund—State Appropriation (FY 2022) ((~~$20,922,000~~))

$22,480,000

General Fund—State Appropriation (FY 2023) ((~~$31,158,000~~))

$46,175,000

General Fund—Federal Appropriation ((~~$12,760,000~~))

$12,910,000

Public Records Efficiency, Preservation, and Access

Account—State Appropriation ((~~$10,005,000~~))

$10,608,000

Charitable Organization Education Account—State

Appropriation ((~~$901,000~~))

$1,367,000

Washington State Library Operations Account—State

Appropriation ((~~$11,698,000~~))

$14,620,000

Local Government Archives Account—State

Appropriation ((~~$10,120,000~~))

$10,937,000

Election Account—Federal Appropriation ((~~$4,368,000~~))

$4,404,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $405,000

Personnel Service Account—State Appropriation $1,276,000

TOTAL APPROPRIATION ((~~$101,932,000~~))

$125,182,000

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

(1) $2,498,000 of the general fund—state appropriation for fiscal year 2022 and $12,196,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2)(a) $3,051,500 of the general fund—state appropriation for fiscal year 2022 and $3,051,500 of the general fund—state appropriation for fiscal year 2023 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2021-2023 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

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

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

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

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

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

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

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) $75,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for humanities Washington speaker's bureau community conversations.

(5) $114,000 of the general fund—state appropriation for fiscal year 2022 and $114,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, beginning July 31, 2021, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) $546,000 of the general fund—state appropriation for fiscal year 2022 and $546,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and the triage and customer service to system users.

(7) $626,000 of the public records efficiency, preservation, and access account—state appropriation is provided solely for additional project staff to pack, catalog, and move the states archival collection in preparation for the move to the new library archives building that will be located in Tumwater.

(8) Within existing resources, the office of the secretary of state must research and evaluate availability of online trainings to include, but not be limited to, job-related, educational, and information technology trainings that are available free of charge. The office must compare those to the online trainings available from the Microsoft linked in academy. The office must report the comparative findings to fiscal committees of the legislature by September 1, 2022.

(9) $251,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Substitute Senate Bill No. 5034 (nonprofit corporations). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(10) $269,000 of the government archives account—state appropriation is provided solely for implementation of Senate Bill No. 5019 (recording standards commission). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(11) $1,000,000 of the general fund—federal appropriation (ARPA) is provided solely for humanities Washington to provide grants to humanities organizations in Washington state pursuant to the American rescue plan act of 2021, P.L. 117-2. Of the amounts provided in this subsection:

(a) Forty percent must be used for grants to state humanities organizations' programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from coronavirus; and

(b) Sixty percent must be used for direct grants, and relevant administrative expenses, that support humanities organizations' programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from coronavirus.

(12) $3,600,000 of the general fund—federal appropriation (ARPA) is provided to the state library as the designated state library administrative agency solely to administer and distribute institute of museum and library services grants to museums, tribal partners, and libraries for eligible expenses and services. Pursuant to federal directive, no more than four percent of distributed funds may be held for grant administration.

(13) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $4,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for educational outreach related to voter registration, voting, and elections; and to improve access to voting and the election process.

(14) $300,000 of the general fund—state appropriation for fiscal year 2022 and $700,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for humanities Washington's prime time family reading program to provide family literacy services to children who are not reading at grade level.

(15) $8,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(16) $1,276,000 of the personnel services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5082 (productivity board). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(17) $405,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for TVW equipment upgrades, including new encoders and router cards, and a refresh of its robotics system.

(18) $55,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for upgrading technology and usefulness of a conference room in the main office of the secretary of state with modern telecommunications tools and technology and increasing privacy.

(19) $25,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementing a voter registration system in conjunction with the department of licensing, department of social and health services, health benefit exchange, and county election officials by December 31, 2023, that uses information and documentation already presented by eligible agency customers to automatically transmit information necessary for voter registration and voter registration updates, and enables applicants to make a decision about voter registration and any necessary corrections by returning a notice mailed by election officials. The proposal shall consider upgraded systems implemented in Colorado and other states to enact this change in their voter registration system in 2022. Recommendations must be developed with the full participation of community organizations that work in support of civic engagement. The secretary shall present their recommendations, and any barriers to their implementation, to the legislature by December 1, 2022.

(20) $41,000 of the general fund—state appropriation for fiscal year 2022 and $203,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 122 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$905,000~~))

$902,000

General Fund—State Appropriation (FY 2023) ((~~$401,000~~))

$644,000

TOTAL APPROPRIATION ((~~$1,306,000~~))

$1,546,000

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

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2) $500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the governor's office of Indian affairs to engage in a process to develop recommendations on improving executive and legislative tribal relationships. In developing the recommendations, the governor's office of Indian affairs may contract with a third party facilitator.

(a) The governor's office of Indian affairs or the contracted third party must host and facilitate discussions between the executive branch, the legislative branch, and Indian tribes as defined in RCW 43.376.010 to develop the recommendations.

(b) By December 20, 2021, the governor's office of Indian affairs must submit a report of recommendations to the Governor and legislature in accordance with RCW 43.01.036. At a minimum, the report should include recommendations on:

(i) An examination of government-to-government relationship with Indian tribes as in chapter 43.376 RCW;

(ii) The consultation processes; and

(iii) Training to be provided to state agencies and the legislature.

**Sec.**  2021 c 334 s 123 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$448,000~~))

$473,000

General Fund—State Appropriation (FY 2023) ((~~$462,000~~))

$528,000

TOTAL APPROPRIATION ((~~$910,000~~))

$1,001,000

**Sec.**  2021 c 334 s 124 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER**

General Fund—State Appropriation (FY 2022) $250,000

General Fund—State Appropriation (FY 2023) ((~~$250,000~~))

$300,000

State Treasurer's Service Account—State

Appropriation ((~~$20,375,000~~))

$20,926,000

TOTAL APPROPRIATION ((~~$20,875,000~~))

$21,476,000

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

(1) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1189 (tax increment financing). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(2) $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the purpose of conducting research and analysis into the potential of adopting in Washington state a future fund similar to the proposal contained in Substitute Senate Bill No. 5752 (Washington future fund) or a baby bond type program enacted in other states and local jurisdictions such as Connecticut and the District of Columbia. The office of the state treasurer must submit a report to the appropriate committees of the legislature no later than December 1, 2023. In conducting its research, the treasurer must:

(a) Study how similar programs have been developed and established in other jurisdictions;

(b) Address eligibility criteria for account establishment, residency requirements, eligibility for account access, and approved use of funds;

(c) Address all financial and fiscal aspects of the program, including the long-term costs of establishing the fund, estimated annual appropriations, how funds would be invested and estimated payouts, what agency or agencies would be responsible for management of the accounts, what agency or agencies would be responsible for verifying applicant eligibility, and administrative and technology costs of establishing and maintaining the program; and

(e) Address any legal barriers or risks in establishing the program including state constitutional limitations and avoiding the creation of fiduciary duties or contractual rights with program participants.

**Sec.**  2021 c 334 s 125 (uncodified) is amended to read as follows:

**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2022) ((~~$613,000~~))

$463,000

General Fund—State Appropriation (FY 2023) ((~~$1,062,000~~))

$1,212,000

Auditing Services Revolving Account—State

Appropriation ((~~$14,456,000~~))

$16,379,000

Performance Audits of Government Account—State

Appropriation ((~~$1,683,000~~))

$1,727,000

TOTAL APPROPRIATION ((~~$17,814,000~~))

$19,781,000

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

(1) $1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

(2) Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2).

(3) $825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

(4) ((~~$585,000~~)) $435,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,030,000~~)) $1,180,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1089 (law enforcement audits). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

**Sec.**  2021 c 334 s 126 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$252,000~~))

$250,000

General Fund—State Appropriation (FY 2023) ((~~$279,000~~))

$283,000

TOTAL APPROPRIATION ((~~$531,000~~))

$533,000

**Sec.**  2021 c 334 s 127 (uncodified) is amended to read as follows:

**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2022) ((~~$18,708,000~~))

$22,829,000

General Fund—State Appropriation (FY 2023) ((~~$23,379,000~~))

$26,495,000

General Fund—Federal Appropriation ((~~$18,226,000~~))

$21,944,000

Public Service Revolving Account—State Appropriation ((~~$4,145,000~~))

$4,334,000

New Motor Vehicle Arbitration Account—State

Appropriation ((~~$1,721,000~~))

$1,782,000

Medicaid Fraud Penalty Account—State Appropriation ((~~$5,862,000~~))

$6,107,000

Child Rescue Fund—State Appropriation $80,000

Legal Services Revolving Account—State Appropriation ((~~$300,291,000~~))

$343,358,000

Local Government Archives Account—State

Appropriation ((~~$1,004,000~~))

$1,045,000

Tobacco Prevention and Control Account—State

Appropriation $275,000

Consumer Privacy Account—State Appropriation ((~~$1,241,000~~))

$548,000

TOTAL APPROPRIATION ((~~$374,932,000~~))

$428,797,000

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

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

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

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

(4) $161,000 of the general fund—state appropriation for fiscal year 2022 and $161,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the civil rights unit to provide additional services in defense and protection of civil and constitutional rights for people in Washington.

(5) $8,392,000 of the legal services revolving account—state appropriation is provided solely for child welfare and permanency staff.

(6) $617,000 of the general fund—state appropriation for fiscal year 2022 and $617,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(7) $1,600,000 of the legal services revolving fund—state appropriation is provided solely for the office to compel the United States department of energy to meet Hanford cleanup deadlines.

(8) $28,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5022 (recycling, waste and litter). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(9) $584,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5051 (peace & correction officers). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(10) ((~~$1,241,000~~)) $548,000 of the consumer privacy account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5062 (data). If the bill is not enacted by June 30, ((~~2021~~)) 2022, the amount provided in this subsection shall lapse.

(11) $122,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5096 (capital gains tax). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(12) $256,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5097 (paid leave coverage). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(13) ((~~$170,000~~)) $284,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5126 (climate commitment). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(14) $395,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5141 (environmental justice task force). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(15) $1,198,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5163 (conditionally released SVPs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(16) $218,000 of the general fund—state appropriation for fiscal year 2022 and $5,107,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5259 (law enforcement data). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(17) ((~~$1,485,000~~)) $693,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$958,000~~)) $1,750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

(i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;

(ii) Risk assessment for referral of persons contacting the YES tip line to service providers;

(iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;

(iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(v) YES tip line information data retention and reporting requirements;

(vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and

(vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.

(c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.

(d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. The attorney general may determine the criteria for honorariums and award youth who participate in the tip line development and implementation an honorarium of up to $200 per day.

(f) In addition to honorarium amounts, youth are eligible for reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.050 and 43.03.060.

(g) Nothing in this subsection creates an employment relationship, or any membership or qualification in any state or other publicly supported retirement system, due to the payment of an honorarium or lodging and travel expenses provided under this subsection where such a relationship, membership, or qualification did not already exist.

((~~(19)~~)) (18) $196,000 of the legal services revolving account—state appropriation is provided solely to provide staff support to the joint legislative task force on jail standards created in section 957 of this act.

((~~(20)~~)) (19) $38,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1148 (acute care hospitals). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(21)~~)) (20) $294,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1259 (women & minority contracting). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(22)~~)) (21) $1,207,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1219 (youth counsel/dependency). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(23)~~)) (22) $28,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1089 (law enforcement audits). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(24)~~)) (23) $123,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Third Substitute House Bill No. 1091 (transportation fuel/carbon). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(25)~~)) (24) $2,080,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1194 (parent-child visitation). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(26)~~)) (25) $121,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1073 (paid leave coverage). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(27)~~)) (26) $247,000 of the general fund—state appropriation for fiscal year 2022 and $247,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1310 (uses of force by officers). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(28)~~)) (27) $25,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(29)~~)) (28) $146,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5172 (agricultural overtime). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(29) $225,000 of the general fund—state appropriation for fiscal year 2022 and $275,000 of the general fund—state appropriation for fiscal year 2023 are provided solely on a one-time basis for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force created in section 939 of this act.

(30) $9,119,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature by December 31, 2022, the following information for new cases initiated in calendar year 2022 to measure quantity and use of this funding:

(a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;

(b) The length of time to prepare state and federal Indian child welfare act case as compared to non-ICWA cases;

(c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and

(d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.

(31) $470,000 of the general fund—state appropriation for fiscal year 2022 and $280,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for legal services in *Wahkiakum School District v. State*.

(32) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for additional legal services in defense of Washington's climate and environment.

(33) $1,910,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the office to pass through to King county to adequately fund and retain its prosecution services pursuant to chapter 71.09 RCW in King county.

(34) $728,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for legal services related to the voting rights case *Palmer, et al v. State*.

**Sec.**  2021 c 334 s 128 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2022) ((~~$1,990,000~~))

$1,980,000

General Fund—State Appropriation (FY 2023) ((~~$1,982,000~~))

$2,213,000

Workforce Education Investment Account—State

Appropriation ((~~$326,000~~))

$331,000

TOTAL APPROPRIATION ((~~$4,298,000~~))

$4,524,000

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

(1) ((~~$326,000~~)) $331,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.

(2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.

(3) $192,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5268 (dev. disability services). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

General Fund—State Appropriation (FY 2022) ((~~$193,804,000~~))

$200,901,000

General Fund—State Appropriation (FY 2023) ((~~$171,190,000~~))

$294,203,000

General Fund—Federal Appropriation ((~~$1,365,225,000~~))

$1,441,202,000

General Fund—Private/Local Appropriation ((~~$8,862,000~~))

$9,093,000

Public Works Assistance Account—State Appropriation ((~~$8,134,000~~))

$8,417,000

Lead Paint Account—State Appropriation $112,000

Building Code Council Account—State Appropriation $17,000

Liquor Excise Tax Account—State Appropriation ((~~$1,262,000~~))

$1,317,000

Home Security Fund Account—State Appropriation ((~~$326,272,000~~))

$326,421,000

Affordable Housing for All Account—State

Appropriation ((~~$105,230,000~~))

$105,264,000

Financial Fraud and Identity Theft Crimes

Investigation and Prosecution Account—State

Appropriation ((~~$2,671,000~~))

$2,678,000

Low-Income Weatherization and Structural

Rehabilitation Assistance Account—State

Appropriation $1,400,000

Statewide Tourism Marketing Account—State

Appropriation $3,034,000

Community and Economic Development Fee Account—State

Appropriation ((~~$4,117,000~~))

$4,249,000

Growth Management Planning and Environmental Review

Fund—State Appropriation ((~~$5,785,000~~))

$9,303,000

Liquor Revolving Account—State Appropriation ((~~$5,920,000~~))

$5,921,000

Washington Housing Trust Account—State Appropriation ((~~$20,455,000~~))

$20,767,000

Prostitution Prevention and Intervention Account—

State Appropriation ((~~$26,000~~))

$146,000

Public Facility Construction Loan Revolving Account—

State Appropriation ((~~$1,229,000~~))

$1,277,000

Model Toxics Control Stormwater Account—State

Appropriation $100,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) $1,813,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$1,809,000~~))

$3,200,000

Andy Hill Cancer Research Endowment Fund Match

Transfer Account—State Appropriation ((~~$11,711,000~~))

$50,281,000

Community Preservation and Development Authority

Account—State Appropriation $500,000

Economic Development Strategic Reserve Account—State

Appropriation $2,798,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$472,610,000~~))

$888,735,000

Energy Efficiency Account—State Appropriation $9,000

Community Reinvestment Account—State Appropriation $125,000,000

TOTAL APPROPRIATION ((~~$2,716,086,000~~))

$3,508,158,000

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

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) $3,000,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$3,000,000~~)) $7,096,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) $375,000 of the general fund—state appropriation for fiscal year 2022 and $375,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(5) $375,000 of the general fund—state appropriation for fiscal year 2022 and $375,000 of the general fund—state appropriation for fiscal year 2023 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(6) $4,304,000 of the general fund—state appropriation for fiscal year 2022 and $4,304,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for associate development organizations. During the 2021-2023 biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to $1.00 per capita, totaling no more than $300,000 per organization; and

(b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a $1.00 per capita allocation with a base allocation of $75,000.

(7) $5,907,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(8) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(9) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(10) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the northwest agriculture business center.

(11) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(12) ((~~$1,000,000~~)) $750,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,000,000~~)) $1,250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(13) $643,000 of the general fund—state appropriation for fiscal year 2022 and $643,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(14) $1,000,000 of the home security fund—state appropriation, $2,000,000 of the Washington housing trust account—state appropriation, and $1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(15) $2,000,000 of the home security fund—state appropriation is provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

(16)(a) $1,980,000 of the general fund—state appropriation for fiscal year 2022 and $1,980,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case-management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.

(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.

(17) $557,000 of the general fund—state appropriation for fiscal year 2022 and $557,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to design and administer the achieving a better life experience program.

(18) The department is authorized to suspend issuing any nonstatutorily required grants or contracts of an amount less than $1,000,000 per year.

(19) $1,070,000 of the general fund—state appropriation for fiscal year 2022 $1,070,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(20) $60,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(21) ((~~$2,000,000~~)) $2,200,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$2,000,000~~)) $4,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW. Of the amounts provided in this section, $200,000 of the general fund—state appropriation for fiscal year 2022 and $2,000,000 of the general fund—state appropriation for fiscal year 2023 must be used for pro bono or low bono legal services to assist indigent Washington residents, who were temporarily paroled into the United States in 2021 or 2022, with asylum applications or other matters related to adjusting immigration status.

(22)(a) $37,000,000 of the affordable housing for all account—state appropriation is provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

(i) Is dedicated as permanent supportive housing units;

(ii) Is occupied by low-income households with incomes at or below thirty percent of the area median income; and

(iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(23) $7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(24)(a) $125,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$125,000~~)) $2,143,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of homeless youth to fund program models that prevent youth from exiting public systems into homelessness.

(b) Of the amounts provided in this subsection (24), $500,000 of the general fund—state appropriation for fiscal year 2023 is provided to assist young adults discharging from inpatient behavioral health treatment facilities to obtain housing. By June 30, 2023, the department shall submit a report to the legislature on the outcomes for participants of the program funded in this subsection (24)(b).

(25) ((~~$3,000,000~~)) $2,408,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$5,000,000~~)) $5,592,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(26) $2,125,000 of the general fund—state appropriation for fiscal year 2022 and $2,125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The first report is due June 30, 2022, and each June 30th thereafter. The report shall include but is not limited to:

(a) A breakdown of expenditures by program and expense type, including the cost per bed;

(b) The number of youth and young adults helped by each program;

(c) The number of youth and young adults on the waiting list for programs, if any; and

(d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(27) $62,720,000 of the general fund—state appropriation for fiscal year 2022, $65,330,000 of the general fund—state appropriation for fiscal year 2023, and $2,610,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020, by providing grants to participating counties who request additional funding in order to continue serving participating and eligible clients.

(28) $1,436,000 of the general fund—state appropriation for fiscal year 2022 and $1,436,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; and (g) military and defense. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(29) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(30) $198,000 of the general fund—state appropriation for fiscal year 2022 and $198,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(31) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(32) $1,500,000 of the general fund—state appropriation for fiscal year 2022, ((~~$1,500,000~~)) $2,580,000 of the general fund—state appropriation for fiscal year 2023 and $4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) ((~~Of the amounts provided in this subsection, $4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.~~)) Of the amounts appropriated in this subsection, $1,080,000 of the general fund—state appropriation for fiscal year 2023 is provided to create a bridge period for individuals enrolled in the foundational community supports initiative who are transitioning off benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(b) Of the amounts provided in this subsection, $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(33) ((~~$11,711,000~~)) $50,281,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(34) $550,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$150,000~~)) $550,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the operations of the long-term care ombudsman program.

(35) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.

(36) $35,000,000 of the home security fund—state appropriation is provided solely for increasing local temporary shelter capacity. The amount provided in this subsection is subject to the following conditions and limitations:

(a) A city or county applying for grant funding shall submit a sheltering proposal that aligns with its local homeless housing plan under RCW 43.185C.050. This proposal must include at a minimum:

(i) A strategy for outreach to bring currently unsheltered individuals into shelter;

(ii) Strategies for connecting sheltered individuals to services including but not limited to: Behavioral health, chemical dependency, education or workforce training, employment services, and permanent supportive housing services;

(iii) An estimate on average length of stay;

(iv) An estimate of the percentage of persons sheltered who will exit to permanent housing destinations and an estimate of those that are expected to return to homelessness;

(v) An assessment of existing shelter capacity in the jurisdiction, and the net increase in shelter capacity that will be funded with the state grant; and

(vi) Other appropriate measures as determined by the department.

(b) ((~~The department shall not reimburse more than $56 per day per net additional person sheltered above the baseline of shelter occupancy prior to award of the funding.~~)) Eligible uses of funds include shelter operations, shelter maintenance, shelter rent, loan repayment, case management, navigation to other services, efforts to address potential impacts of shelters on surrounding neighborhoods, capital improvements and construction, and outreach directly related to bringing unsheltered people into shelter. The department shall coordinate with local governments to encourage cost-sharing through local matching funds.

(c) The department shall not reimburse more than $10,000 per shelter bed prior to occupancy, for costs associated with creating additional shelter capacity or improving existing shelters to improve occupancy rates and successful outcomes. Eligible costs prior to occupancy include acquisition, construction, equipment, staff costs, and other costs directly related to creating additional shelter capacity.

(d) For the purposes of this subsection "shelter" means any facility, the primary purpose of which is to provide space for homeless in general or for specific populations of homeless. The shelter must: Be structurally sound to protect occupants from the elements and not pose any threat to health or safety, have means of natural or mechanical ventilation, and be accessible to persons with disabilities, and the site must have hygiene facilities, which must be accessible but do not need to be in the structure.

(37) ((~~$1,007,000~~)) $950,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,007,000~~)) $1,064,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to administer a transitional housing pilot program for nondependent homeless youth. In developing the pilot program, the department will work with the adolescent unit within the department of children, youth, and families, which is focused on cross-system challenges impacting youth, including homelessness.

(38) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(39) $80,000 of the general fund—state appropriation for fiscal year 2022 and $80,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of one million or more and one county east of the crest of the Cascade mountain range with a population of five hundred thousand or more.

(40) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of homeless youth prevention and protection programs to create a centralized diversion fund to serve homeless or at-risk youth and young adults, including those who are unsheltered, exiting inpatient programs, or in school. Funding provided in this subsection may be used for short-term rental assistance, offsetting costs for first and last month's rent and security deposits, transportation costs to go to work, and assistance in obtaining photo identification or birth certificates.

(41) $100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.

(42) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(43) $500,000 of the community preservation and development authority account—state/operating appropriation is provided solely for the operations of the Pioneer Square-International District community preservation and development authority established in RCW 43.167.060.

(44) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts.

(45) ((~~$255,000,000~~)) $278,476,000 of the general fund—federal appropriation (ARPA) and $403,000,000 of the coronavirus state fiscal recovery account—federal appropriation are provided solely for the department to administer an emergency rental assistance program. The department shall distribute funding in the form of grants to local housing providers. In making distributions, the department must consider the number of unemployed persons and renters in each jurisdiction served by the provider as well as consider any funding that jurisdiction, including cities within each county, received directly from the federal government for emergency rental assistance. Of the amounts provided in this subsection:

(a) ((~~$255,000,000~~)) $278,476,000 of the general fund—federal appropriation (ARPA) is provided solely for grants to provide emergency rental and utility assistance pursuant to P.L. 117-2. A provider may use up to 14.5 percent of the grant award provided under this subsection for administrative costs and the remainder must be used for financial assistance as defined in P.L. 117-2. Unless otherwise prohibited under federal guidance, a housing provider may provide financial assistance for an eligible household's rent and rental arrears of up to 150 percent of the fair market rent for the area in which the household resides, as determined by the department of housing and urban development.

(b)(i) $403,000,000 of the coronavirus state fiscal recovery account—federal appropriation is provided solely for grants to provide emergency rental and utility assistance, subject to (b)(ii) of this subsection. Providers must make rental payments directly to landlords and utility payments directly to utility providers. To be eligible for assistance under this subsection, households must, at a minimum, have an income at or below 80 percent of the area median income and must have a missed or partially paid rent payment. The department may establish additional eligibility criteria to target these resources to households most likely to become homeless if they do not receive rental assistance. A provider may provide financial assistance for an eligible household's rent and rental arrears of up to 150 percent of the fair market rent for the area in which the household resides, as determined by the department of housing and urban development.

(ii) From the amount provided in (b) of this subsection, each local housing provider must subgrant with community organizations that serve historically disadvantaged populations within their jurisdiction. Subgrants may be used for program outreach and assisting community members in applying for assistance under (a) and (b) of this subsection. The amount of the subgrant must be at least five percent of the total funding each provider received under (a) and (b) of this subsection.

(c) The department may retain up to 0.5 percent of the amounts provided in this subsection for administration of the program.

(46) $7,500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include but are not limited to one-on-one assistance for people with limited access to services, including individuals seeking work, families supporting students, English language learners, medicaid clients, people experiencing poverty, and elders. Of the amounts provided in this subsection, the department must prioritize allocating $1,500,000 as grants or portions of grants that serve medicaid clients.

(47) $240,000 of the general fund—state appropriation for fiscal year 2022 and $240,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the operations of the Central district community preservation and development authority established in RCW 43.167.070.

(48) $607,000 of the general fund—state appropriation for fiscal year 2022 and $607,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(49) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(50) $29,255,000 of the general fund—federal appropriation (CRF) and ((~~$230,000,000~~)) $284,200,000 of the general fund—federal appropriation (CRRSA), not to exceed the amount appropriated in section 3, chapter 3, Laws of 2021, that is unobligated at the end of fiscal year 2021, are provided solely for rental assistance and housing and are subject to the same terms and conditions as the appropriation in section 3, chapter 3, Laws of 2021, as amended in section 1905 of this act.

(51) $4,800,000 of the general fund—federal appropriation (CRF), not to exceed the amount appropriated in section 4, chapter 3, Laws of 2021, that is unobligated at the end of fiscal year 2021, is provided solely for working Washington grants and is subject to the same terms and conditions as the appropriation in section 4, chapter 3, Laws of 2021.

(52) $1,602,000 of the general fund—state appropriation for fiscal year 2022 and $1,174,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the statewide broadband office established in RCW 43.330.532.

(53) $450,000 of the general fund—state appropriation for fiscal year 2022 and $450,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization for an initiative to advance affordable housing projects and education centers on public or tax-exempt land. The department must award the grant to an organization with an office located in the city of Seattle that has experience in catalyzing early learning and affordable housing developments. The grant recipient must use the funding to:

(a) Implement strategies to accelerate development of affordable housing projects with space for early learning centers or community space on underutilized tax-exempt properties;

(b) Analyze the suitability of properties for affordable housing, early learning centers, or community space through completing due diligence, conceptual design, and financial analysis activities;

(c) Organize community partners and build capacity to develop these sites, as well as coordinate negotiations among partners and public owners;

(d) Facilitate collaboration and co-development between affordable housing, early learning centers, or community space; and

(e) Catalyze the redevelopment of at least 10 sites to create approximately 1,500 affordable homes.

(54) $2,000,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $2,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization located in King county to operate a hunger relief response program serving individuals living in permanent supportive housing.

(55) $75,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to a nonprofit organization located in the city of Federal Way that conducts collaborative policy development and provides access to resources and consultation to historically disadvantaged communities. The grant funding must be used for capacity-building activities to support community-based organizations serving youth and young adults in the city of Federal Way.

(56) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(57) $12,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a single contract with the non-profit statewide tourism marketing organization that is party to the contract pursuant to RCW 43.384.020. The funds will be used to assist recovery for tourism-related businesses, generate tourism demand for Washington communities and businesses, and sustain recovery market share with competing Western states. The department and the contractor shall submit a report to the legislature June 30, 2022, and June 30, 2023.

(58) $354,000 of the general fund—state appropriation for fiscal year 2022 and $354,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to the Port Gamble S'Klallam tribe for a reentry program providing tailored support services to moderate-needs and high-needs individuals leaving local or tribal incarceration, with the goals of reducing criminal recidivism and fostering community wellbeing. Services may be provided to clients pre-release and post-release.

(59) ((~~$347,000~~)) $217,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$347,000~~)) $477,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county serving criminal justice-involved individuals who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including but not limited to legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(60) $50,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the city of Kent to contract with one or more nonprofit organizations to serve community immersion law enforcement trainees through mentorship or community-based placement, or both.

(61) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis.

(62) $950,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to a nonprofit located in King county that develops training and support for low-income individuals, with a focus on women and people of color, to move into the construction industry for living wage jobs. The grant funding must be used to develop a pre-apprenticeship program that, through the construction of units, integrates housing and workforce development in service of the following goals:

(a) Creating a blueprint to integrating workforce development and housing for local jurisdictions;

(b) Providing construction training to underserved populations;

(c) Creating a pathway for trainees to enter construction careers; and

(d) Addressing the systemic effects of sexism and racism in housing, wealth, education, training, employment, and career development.

(63) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization operating an emergency shelter located in the Yakima valley for case management, outreach, and other homeless services.

(64) $350,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization for activities to advance affordable housing. The grant recipient must be an organization that partners in equitable, transit-oriented development. The grant recipient must use the funding to:

(a) Facilitate partnerships to enable equitable transit-oriented development across the Puget Sound region that builds housing at scale; and

(b) Assist the cities of Tacoma, Renton, and Everett, as well as other cities, in:

(i) Creating or updating local subarea plans to be consistent with the regional growth strategy for future population growth to be near high capacity transit and to facilitate development within the station area that will produce a mix of affordable housing;

(ii) Ensuring equitable transit-oriented development processes and outcomes that minimize displacement; and

(iii) Identifying strategies for land acquisition and assembly around high capacity transit stations that will result in a mix of housing.

(65) $700,000 of the general fund—state appropriation for fiscal year 2022 and $700,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(66) $1,175,000 of the general fund—state appropriation for fiscal year 2022 and $175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to support implementation of the 2021 state energy strategy as it pertains to emissions from energy use in new and existing buildings, including measures to support local government emission reductions, workforce measures, and utility electrification benefits.

(67) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to identify and develop effective interventions and responses to primary and secondary workplace trauma experienced by direct service staff who work in homeless shelters, homeless outreach, and permanent supportive housing. The department must collect data through methods such as surveys, interviews, and small group conversations, and engage interested parties, including but not limited to direct service staff. The department may contract with a third party to complete the work required in this subsection. By June 1, 2023, the department shall submit a report identifying interventions and providing recommendations to the appropriate committees of the legislature.

(68)(a) $340,000 of the general fund—state appropriation for fiscal year 2022 and $85,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with the University of Washington college of built environments to create a database and reporting system for promoting transparency on procurement of building materials that make up the primary structure and enclosure used for state-funded construction projects. The department and university may use publicly available information and data sources as well as consult with outside experts to create the database. The database may include fields for environmental product declarations, product quantity, manufacturer location, global warming potential, health certifications, supplier codes of conduct, and working conditions.

(b) When developing the reporting system required under (a) of this subsection, the department and the University of Washington must conduct a case study analysis. In conducting the analysis, the department and the university must identify up to 10 case studies of publicly funded projects and analyze considerations including but not limited to cost impacts, materials procured, embodied carbon contribution to reducing greenhouse gas emissions, and supply chain considerations. By January 1, 2022, the department and the university shall submit a progress report on the case study analysis to the legislature. By November 1, 2022, the department and the university shall submit a final report to the legislature with findings from the case study analysis and recommendations for the reporting system based on lessons learned.

(69) $175,000 of the general fund—state appropriation for fiscal year 2022 and $175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization to provide job readiness skills and training to traditionally underrepresented populations to support the transition to a registered apprenticeship, trade training, or employment. The grant recipient must be a nonprofit organization serving traditionally underrepresented populations in King and Pierce counties, with a focus on youth development programs. The grant funding must be used for activities including but not limited to counseling and training in support of the goals of:

(a) Minimizing barriers to transitioning to an apprenticeship, trade training program, or employment for participants;

(b) Increasing participants' workforce and life balance skills; and

(c) Increasing participants' specialized skills and knowledge in targeted industries, including construction, urban agriculture, and maritime trades.

(70)(a) $51,000 of the general fund—state appropriation for fiscal year 2022 and $51,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the statewide broadband office to cofacilitate the Washington digital equity forum with the Washington state office of equity. The purpose of the forum is to develop recommendations to advance digital connectivity in Washington state. In developing its recommendations, the forum must:

(i) Develop goals that are consistent with the goals of the governor's statewide broadband office, as provided in RCW 43.330.536;

(ii) Strengthen public-private partnerships;

(iii) Solicit public input through public hearings or informational sessions;

(iv) Work to increase collaboration and communication between local, state, and federal governments and agencies; and

(v) Recommend reforms to universal service mechanisms.

(b) The directors of the governor's statewide broadband office and the Washington state office of equity are responsible for appointing participating members of the forum, and appointments require the approval of both directors. In making appointments, the directors must prioritize appointees representing:

(i) Federally recognized tribes;

(ii) State agencies involved in digital equity; and

(iii) Underserved and unserved communities, including historically disadvantaged communities.

(c) The director of the governor's statewide broadband office, or the director's designee, and the director of the Washington state office of equity, or the director's designee, shall serve as administrative cochairs of the forum.

(d) In addition to members appointed by the directors, four legislators may serve on the digital equity forum in an ex officio capacity. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives must appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The president of the senate must appoint one member from each of the two largest caucuses of the senate.

(e) Each member of the digital equity forum shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060. Legislative members of the forum are reimbursed for travel expenses in accordance with RCW 44.04.120. (f) The statewide broadband office must provide staff support for the digital equity forum. By January 1, 2023, the statewide broadband office must transmit the recommendations of the digital equity forum developed under (a) of this subsection to the legislature, consistent with RCW 43.01.036.

(71) $500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for grants to law enforcement agencies to implement group violence intervention strategies in areas with high rates of gun violence. Grant funding will be awarded to two sites, with priority given to Yakima county and south King county. The sites must be located in areas with high rates of gun violence, include collaboration with the local leaders and community members, use data to identify the individuals most at risk to perpetrate gun violence for interventions, and include a component that connects individuals to services. In selecting the sites, the department must give priority to sites meeting these criteria that also can leverage existing local or federal resources.

(72) $350,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a contract for a business recovery program serving the city of Federal Way and surrounding area. The contract recipient must be a nongovernmental organization located in the city of Federal Way whose primary focus is the economic development of the city of Federal Way and surrounding area. The contract funding must be used for:

(a) Business development training and education for small businesses located in or serving the city of Federal Way and surrounding area, with a focus on Black, indigenous, and people of color-owned, women-owned, and veteran-owned businesses;

(b) Workforce programming for skill set development, especially as related to business retention and expansion; and

(c) Research and collection of economic baseline data for the city of Federal Way and surrounding area for the development of data-driven programming, with a focus on key economic recovery indicators.

(73) $202,000 of the general fund—state appropriation for fiscal year 2022 and $89,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization to provide emergency housing, permanent supportive housing, and wraparound services focusing on Black transgender and nonbinary individuals who are currently experiencing or at risk of homelessness. The grant recipient must be a nonprofit organization with locations in the cities of Seattle and Tacoma that provides legal and other services for LGBTQ individuals in Washington. The grant recipient may subgrant or subcontract with other organizations to provide emergency housing, permanent supportive housing, and wraparound services.

(74) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators on smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

(75) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to establish a sector lead position for the creative industries, including but not limited to the performing arts, literary arts, music, and film. The sector lead must work with interested parties to further the goals of creating economic development opportunities, retaining and growing jobs, and supporting small business development and expansion within the creative industries.

(76) $221,920,000 of the home security fund—state appropriation and $58,400,000 of the affordable housing for all account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1277 (housing/revenue source). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~)) Of the amounts provided in this subsection:

(a) $88,768,000 of the home security fund—state appropriation is provided solely to implement the eviction prevention rental assistance program created in the bill; and

(b) $133,152,000 of the home security fund—state appropriation is provided solely for project-based vouchers and related services, rapid rehousing, housing acquisition, and supportive services for individuals and families accessing vouchers and rapid rehousing. Of the total amount provided in this subsection, at least $20,000,000 must be used for hotel and motel vouchers, rapid rehousing, and supportive services for individuals and families accessing vouchers and rapid rehousing.

(77) $59,000 of the general fund—state appropriation for fiscal year 2022 and $696,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1086 (behavioral health consumers). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(78) $163,000 of the dedicated marijuana account—state appropriation for fiscal year 2022 and $159,000 of the dedicated marijuana account—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1443 (cannabis industry/equity). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(79) $298,000 of the general fund—state appropriation for fiscal year 2022 and $404,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1220 (emergency shelters & housing). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(80) ((~~$306,000~~)) $121,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$483,000~~)) $668,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(81) $21,000 of the general fund—state appropriation for fiscal year 2022 and $42,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Third Substitute House Bill No. 1091 (transportation fuel/carbon). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(82) $42,000 of the general fund—state appropriation for fiscal year 2022 and $42,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1168 (long-term forest health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(83) $2,798,000 of the economic development strategic reserve account manufacturing cluster acceleration subaccount—state appropriation is provided solely for implementation of Substitute House Bill No. 1170 (manufacturing). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(84) ((~~$187,000,000~~)) $173,000,000 of the general fund—federal appropriation (ARPA) ((~~is~~)) and $4,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a homeowner assistance program to provide mortgage, foreclosure, and other assistance to eligible homeowners pursuant to P.L. 117-2. The department may subgrant or contract with other entities to provide assistance under the program. Of the amount provided in this subsection, ((~~$13,000,000~~)) $2,000,000 of the general fund—federal appropriation (ARPA) ((~~is~~)) and $4,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for foreclosure assistance.

(85) $9,864,000 of the general fund—state appropriation for fiscal year 2022 and $9,864,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for long-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. By December 1, 2021, and December 1, 2022, the department must submit a report identifying the expenditures and number of individuals receiving long-term rental supports through the agency budget broken out by region, treatment need, and the demographics of those served during the prior fiscal year.

(86)(a) $50,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to provide grants to small businesses through the working Washington grant program.

(b) Of the amount provided in this subsection, $30,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to assist businesses maintain their operations. To be eligible for a grant under this subsection, the business must:

(i) Apply for or have applied for the grant;

(ii) ((~~Have reported annual gross receipts of $5,000,000 or less to the department of revenue for calendar year 2019~~)) Have not reported annual gross receipts of more than $5,000,000 in the most recent calendar year;

(iii) Have expenses that are necessary to continue business operations and the expense is not a federal, state, or local tax, fee, license, or other government revenue;

(iv) Self–attest that the expense is not funded by any other government or private entity;

(v) Have experienced a reduction in business income or activity related to COVID-19 or state or local actions in response to COVID-19; and

(vi) Agree to operate in accordance with the requirements of applicable federal, state, and local public health guidance and directives.

(c) Of the amount provided in this subsection, $20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to assist the reopening of businesses that temporarily totally closed their operations. To be eligible for a grant under this subsection, the business must:

(i) Apply for the grant;

(ii) ((~~Have reported annual gross receipts of $5,000,000 or less to the department of revenue for calendar year 2019~~)) Have not reported annual gross receipts of more than $5,000,000 in the most recent calendar year;

(iii) Demonstrate the business was actively engaged in business, and as a result of the governor's proclamations 20-25.8, issued on November 15, 2020, through 20-25.12 ("stay safe-stay healthy"), temporarily totally closed operations. Demonstration of active engagement in business can be given through but is not limited to taxable activity reported to the department of revenue. The department may use other methods to determine if this criterion has been met;

(iv) Have expenses that are necessary to reopen business operations and the expense is not a federal, state, or local tax, fee, license, or other government revenue;

(v) Self–attest that the expense is not funded by any other government or private entity; and

(vi) Agree to operate in accordance with the requirements of applicable federal, state, and local public health guidance and directives.

(d) Grant awards are subject to the availability of amounts appropriated in this subsection. The department must conduct outreach to underrepresented and unserved communities observed from prior rounds of awards. The department must ensure equitable distributions of grant funding, including considerations for geographic location and businesses owned by members of historically disadvantaged communities.

(e)(i) Eligible businesses may receive up to a $75,000 grant.

(ii) ((~~If a business received one or more working Washington small business grants before July 1, 2021, including grants provided pursuant to chapter 3, Laws of 2021, the grant awarded under this subsection must be reduced to reflect the amounts received from previous working Washington small business grants.~~)) If a business was awarded one or more working Washington small business grants after February 1, 2021, the grant award under this subsection may be reduced to reflect the amounts received from previous working Washington small business grants. The department may prioritize nonprofit organizations that have not yet received a grant under the working Washington small business grant program.

(f) For purposes of this subsection, reopening costs include, but are not limited to:

(i) Upgrading physical workplaces to adhere to new safety or sanitation standards;

(ii) Procuring required personal protective supplies for employees and business patrons and clients;

(iii) Updating business plans;

(iv) Employee costs, including payroll, training, and onboarding;

(v) Rent, lease, mortgage, insurance, and utility payments; and

(vi) Securing inventory, supplies, and services for operations.

(g) Nonprofit organizations are eligible to receive funding under (b) or (c) of this subsection if they have a primary business activity that has been impacted as described in (b)(v) or (c)(iii) of this subsection.

(h) The department is authorized to shift funding among the purposes in (b) and (c) of this subsection based on overutilization or underutilization of the different types of grants.

(i) Of the total amount provided in this subsection, the department must prioritize allocating the funds as follows:

((~~(A)~~)) $25,000,000 for grants under (b) or (c) of this subsection to eligible businesses and nonprofit organizations in the arts, heritage, and science sectors, including those that operate live entertainment venues((~~; and~~

~~(B) $25,000,000 for grants under (b) or (c) of this subsection to eligible businesses and nonprofit organizations located in counties that are in phase 2 of the governor's "healthy Washington: roadmap to recovery" plan at the time the business or nonprofit organization applies for funding~~)). The department must develop criteria for successful applications under this subsection in combination with the Washington state arts commission.

(87) $138,000,000 of the general fund—federal appropriation (ARPA) is provided solely for the department to implement small business capital access and other credit support programs under the state small business credit initiative, pursuant to P.L. 117-2. The department may contract with other entities to implement the capital access program and other credit support programs. The department is highly encouraged to use local nonprofit community development financial institutions to deliver access to credit to the maximum extent allowed by federal law, rules, and guidelines. The department must apply for the maximum possible allocation of federal funding under P.L. 117-2, including but not limited to funds set aside for extremely small businesses and business enterprises owned and controlled by socially and economically disadvantaged individuals. The funding provided in this section also includes federal funds allocated to the state for technical assistance to businesses. The department must ensure businesses owned and controlled by socially and economically disadvantaged individuals, as defined in P.L. 117-2, have equitable access to program services.

(88)(a) $6,000,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to create a grant program to reimburse local governments for eligible costs of providing emergency noncongregate sheltering during the COVID-19 public health emergency.

(b) A city or county is eligible to apply for grant funding if it:

(i) Applies to the federal emergency management agency public assistance program for reimbursement of costs to provide emergency non-congregate sheltering; and

(ii) Incurs eligible costs.

(c) Eligible costs are costs to provide emergency noncongregate sheltering that:

(i) Were deemed eligible for reimbursement in the federal emergency management agency policy 104-009-18, version 3, titled *FEMA emergency non-congregate sheltering during the COVID-19 public health emergency (interim)* and dated January 29, 2021; and

(ii) Are incurred by the applicant beginning January 21, 2021, through September 30, 2021.

(d) The department must give priority to applicants who demonstrate use of funds received under P.L. 117-2 for the acquisition, development, and operation of noncongregate sheltering.

(e) The department must coordinate with the military department to confirm that grant recipients have applied to the federal emergency management agency public assistance program for costs identified in their grant application.

(f) For the purposes of this subsection, "noncongregate sheltering" means sheltering provided in locations where each individual or household has living space that offers some level of privacy such as hotels, motels, or dormitories.

(89)(a) ((~~$400,000~~)) $225,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to conduct a comprehensive equity review of state capital grant programs administered by the department. The department may, in consultation with interested parties identified in subsection (d) of this section, contract with a consultant to assist with the community engagement and review necessary to complete this review process.

(b) The purposes of this comprehensive equity review are: To reduce barriers to historically underserved populations' participation in the capital grant programs; to redress inequities in existing capital grant policies and programs; and to improve the equitable delivery of resources and benefits in these programs.

(c) In completing the comprehensive equity review required under this section, the department shall: (i) Identify changes to policy and operational norms and practices in furtherance of the equity review purposes identified in (b) of this subsection; (ii) identify new investments and programs that prioritize populations and communities that have been historically underserved by capital grant policies and programs; and (iii) include consideration of historic and systemic barriers that may arise due to any of the following factors: (A) Race; (B) ethnicity; (C) religion; (D) income; (E) geography; (F) disability; and (G) educational attainment.

(d) The department must collaborate with the Washington state commission on African American affairs; the Washington state commission on Asian Pacific American affairs; the Washington state commission on Hispanic affairs; the governor's office of Indian affairs; the governor's committee on disability issues and employment; the office of equity; the office of minority and women's business enterprises; the environmental justice council if established by passage of Engrossed Second Substitute Senate Bill No. 5141; and other interested parties as appropriate to develop and conduct a community engagement process to inform the review.

(e) The department shall complete the comprehensive equity review under this section and submit a final report, containing all of the elements and considerations specified in this section, to the legislature by June 30, 2022.

(90) ((~~$23,000,000~~)) $23,444,000 of the general fund—federal appropriation (ARPA) is provided solely for the HOME investment partnerships program pursuant to P.L. 117-2. Of the amount provided in this subsection, $18,000,000 of the general fund—federal appropriation (ARPA) is provided solely for the department to issue competitive financial assistance to eligible organizations under RCW 43.185A.040 for the acquisition and development of noncongregate shelter units, subject to the following conditions and limitations:

(a) Grants provided under this subsection may be used to acquire real property for quick conversion into noncongregate shelter units or for renovation and building update costs associated with establishment of the acquired facilities. Grants provided under this subsection may not be used for operating or maintenance costs associated with providing housing, supportive services, or debt service. For the purposes of this subsection, "noncongregate" shelter units means units provided in locations where each individual or household has living space that offers some level of privacy, such as hotels, motels, or dormitories.

(b) Units acquired or developed under this subsection must serve qualifying individuals or families as defined in P.L. 117-2.

(c) The department must establish criteria for the issuance of the grants, which must follow the guidelines and compliance requirements of the housing trust fund program and the federal HOME investment partnership program. The criteria must include:

(i) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(ii) A detailed estimate of the costs associated with the acquisition and any updates or improvements necessary to make the property habitable for its intended use;

(iii) A detailed estimate of the costs associated with opening the units; and

(iv) A financial plan demonstrating the ability to maintain and operate the property and support its intended tenants throughout the end of the grant contract.

(d) The department must provide a progress report on its website by November 1, 2022. The report must include:

(i) The total number of applications and amount of funding requested; and

(ii) A list and description of the projects approved for funding including state funding, total project cost, number of units, and anticipated completion date.

(e) The funding in this subsection is not subject to the 90 day application periods in RCW 43.185.070 or 43.185A.050.

(91) $391,000 of the general fund—state appropriation for fiscal year 2022 and $391,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

(92) $150,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to a nonprofit organization providing housing services in western Washington to conduct a master planning process for the development of a family-centered drug treatment and housing program. The grant recipient must be a nonprofit organization that has experience administering a comparable program in another region of the state. The program must provide housing units for families with members who have substance use disorders and who are involved in the child welfare system, and services including but not limited to case management, counseling, substance use disorder treatment, and parenting skills classes. The program site must be located within or in close proximity to King county, and include living quarters for families, space for services, and childcare and play areas for children. The nonprofit must include housing developers, service providers, and other interested parties in the master planning process. By December 31, 2021, the nonprofit must submit the plan to the department, the senate ways and means committee, and the house capital budget committee.

(93) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to family reunification. The grant recipient must have experience contracting with the department of corrections to support offender betterment projects and the department of social and health services to provide access and visitation services.

(94) ((~~$7,500,000~~)) $4,000,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$2,500,000~~)) $6,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to community organizations that serve historically disadvantaged populations to conduct outreach and assist community members in applying for state and federal assistance programs, including but not limited to those administered by the departments of social and health services; commerce; and children, youth, and families. By June 31, 2023, the department must provide to the appropriate committees of the legislature a detailed report of the activities funded in this subsection. The report must include but is not limited to:

(a) A list of grant recipients, their location, and the grant amount each received;

(b) Input from grantees on best practices for engagement with populations experiencing systemic inequities;

(c) Suggestions from the department and grant recipients on how to engage populations experiencing systemic inequities with future programming; and

(d) Other information and recommendations on need for this type of outreach work in future grant programs.

(95) $375,000 of the general fund—state appropriation for fiscal year 2022 and $375,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to accelerate implementation of the low-income rural home rehabilitation program by contracting with up to seven home rehabilitation agencies, as defined under WAC 365-175-030, in a variety of regions of the state. Funding provided in this subsection may be used by home rehabilitation agencies for program support in order to increase the number of households participating in the program. Home rehabilitation agencies receiving funding under this subsection must provide the department with a summary of their direct and indirect costs associated with implementing the program.

(96) $450,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for pre-development activities for state-operated or contracted residential or supportive housing facilities at the Pacific hospital preservation and development authority buildings three through ten in Seattle, to help carry out Washington state's plans for new community-based residential facilities, including supportive housing. The facilities may be used for behavioral health, long-term care, developmentally disabled community housing, recovery residences, state-operated living alternatives, group homes, or family-centered substance use disorder recovery housing. The amounts provided in this subsection may be used for concept development, planning, lease payments, and other related expenses for pre-development of state- or nonprofit-operated residential facilities identified by the health care authority or the departments of social and health services, children, youth, and families, and commerce. The department is authorized to enter into a short-term lease, with an option to enter into a multiyear extension, for the Pacific hospital preservation and development authority quarters buildings three through ten.

(97) $80,000 of the general fund—state appropriation for fiscal year 2022 and $80,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization dedicated to supporting forest health restoration located in Okanogan county for work toward a biochar research and demonstration project and initial efforts toward full-size operation of an industrial-sized facility in the Methow valley.

(98) $6,800,000 of the general fund—state appropriation for fiscal year 2022 ((~~and~~)), $8,200,000 of the general fund—state appropriation for fiscal year 2023, and $7,500,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely ((~~for grants to crime victim services providers for victim assistance programs. The department must distribute the funds in accordance with the methodologies used to distribute federal victims of crime act victim assistance funding~~)) to ensure continuity of crime victim services impacted by reductions in federal victims of crime act funding and help address increased demand for crime victim services attributable to the COVID-19 pandemic. The department shall consult with crime victim service providers and other stakeholders to inform a plan to invest any amount above what is required to maintain existing services in immediate, short-term needs and in a manner that is consistent with the office of crime victims advocacy's state plan.

(99)(a) ((~~$225,000~~)) $115,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$225,000~~)) $335,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to appoint and maintain an aviation and aerospace advisory committee to generally advise the director of the department and the secretary of the department of transportation on matters related to aviation and aerospace in Washington state. The advisory committee must develop recommendations regarding operating budget and capital budget requests relating to aviation and aerospace needs, and strategies to enhance the safe and effective use of public use airports and aerospace facilities in Washington state. The aviation and aerospace advisory committee must also advise the director and secretary, or their designees, and make recommendations on the following matters:

(i) Employment of emerging aviation and aerospace technologies to include unmanned, autonomous, and alternative propulsion systems;

(ii) New, changed, or proposed federal regulations;

(iii) Industry needs to remain nationally and internationally competitive;

(iv) Policy considerations;

(v) Funding priorities and capital project needs;

(vi) Methods to reduce greenhouse gas emissions;

(vii) Workforce development needs and opportunities;

(viii) Multimodal requirements; and

(ix) Other matters pertaining to the aviation and aerospace industries as the aviation and aerospace advisory committee deems appropriate.

(b) The director of the department of commerce, or the director's designee, shall appoint members to the aviation and aerospace advisory committee including, at a minimum:

(i) Two county commissioners, one from east of the crest of the Cascade mountains and one from west of the crest of the Cascade mountains;

(ii) An owner of an aviation company and an owner of an aerospace company or their representatives;

(iii) The director of the aviation division of the department of transportation, or the director's designee;

(iv) Two individuals who are top executive officials of a commercial service airport, typically with the title of chief executive officer, airport director, or executive director, one from an airport located east of the crest of the Cascade mountains and one from an airport located west of the crest of the Cascade mountains;

(v) Advisory members from the federal aviation administration;

(vi) The aerospace lead from the department of commerce or a representative of the department;

(vii) A representative of a statewide environmental organization;

(viii) A representative of the military department;

(ix) A representative of the state board for community and technical colleges;

(x) Representatives from airport associations;

(xi) Representatives from an aviation and aerospace educational program; and

(xii) Representatives from both aviation and aerospace associations.

(c) The director of the department and the secretary of the department of transportation, or their designees, shall serve as the administrative cochairs of the aviation and aerospace advisory committee.

(d) The department must provide staff support for all aviation and aerospace advisory committee meetings.

(e) The aviation and aerospace advisory committee must meet at the call of the administrative cochairs for any purpose that directly relates to the duties set forth in (a) of this subsection, or as otherwise requested by the director, secretary, or their designees as the administrative cochairs.

(f) In consultation with the aviation and aerospace advisory committee, the department must develop a strategic plan for the department's aerospace, aviation, and airport economic development program. The strategic plan should identify: (i) Changing market conditions in the aerospace industry; (ii) emerging opportunities to diversify and grow Washington's aerospace sector; and (iii) strategies and action steps to build on the state's core strengths in aerospace infrastructure and workforce expertise to diversify and grow employment in Washington's aerospace sector. The department must submit the strategic plan to the appropriate committees of the legislature by June 30, 2023.

(g) The cochairs may seek recommendations and input from the aviation and aerospace advisory committee to inform the legislature on aviation and aerospace issues.

(100)(a) ((~~$300,000~~)) $270,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $30,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to convene a work group on reducing racial disparities in Washington state homeownership rates. The goals of the work group are to assess perspectives on housing and lending laws, policies, and practices; facilitate discussion among interested parties; and develop budgetary, administrative policy, and legislative recommendations.

(b) The director of the department, or the director's designee, must chair the work group. The department must, in consultation with the Washington state office of equity and the governor's office of Indian affairs, appoint a minimum of twelve members to the work group representing groups including but not limited to:

(i) Organizations and state entities led by and serving Black, indigenous, and people of color;

(ii) State or local government agencies with expertise in housing and lending laws;

(iii) Associations representing cities and housing authorities; and

(iv) Professionals from private-sector industries including but not limited to banks, credit unions, mortgage brokers, and housing developers.

(c) The department must convene the first meeting of the work group by August 1, 2021. The department must submit a final report to the governor and appropriate committees of the legislature by August 1, 2022. The final report must:

(i) Evaluate the distribution of state affordable housing funds and its impact on the creation of homeownership units serving Black, indigenous, and people of color;

(ii) Evaluate the eligibility requirements, access, and use of state-funded down payment assistance funds, and their impact on homeownership rate disparities;

(iii) Review barriers preventing Black, indigenous, and people of color from accessing credit and loans through traditional banks for residential loans; and

(iv) Provide budgetary, administrative policy, and legislative recommendations to increase ownership unit development and access to credit.

(101) $225,000 of the general fund—state appropriation for fiscal year 2022 and $225,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to convene a task force to make recommendations regarding needed reforms to the state's growth policy framework, including the growth management act, state environmental policy act, and other statutes related to growth, change, economic development, housing, social equity, and environmental conservation. The process will build upon the findings, concepts, and recommendations in recent state-funded reports, including the "road map to Washington's future" issued by the William D. Ruckelshaus center in 2019, the report of the environmental justice task force issued in 2020, and "updating Washington's growth policy framework" issued by the University of Washington in 2021. The task force must involve diverse perspectives including but not limited to representatives of counties, cities, special districts, the real estate, building, and agricultural industries, planning and environmental organizations, tribal governments, and state agencies. Special effort must be made to include in these discussions the lived experiences and perspectives of people and communities who have too often been excluded from public policy decision-making and unevenly impacted by those decisions. The work group must report on its activities and recommendations prior to the 2022 and 2023 legislative sessions.

(102) $80,000 of the general fund—state appropriation for fiscal year 2022 and $80,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization located in the city of Seattle for providing resident services and on-site programming for affordable housing residents in Delridge, supporting local youth with leadership pathways, and other community development initiatives that improve the health and well-being of southwest Seattle residents.

(103) $61,000 of the general fund—state appropriation for fiscal year 2022 and $31,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for San Juan county health and community services to enter into an agreement with the United States geological survey to evaluate available groundwater, surface water, and meteorological data for the county, complete recharge estimations for the county, and update the water balance for the county.

(104) $140,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to contract with businesses ending slavery and trafficking for a human trafficking initiative.

(a) Of the amounts provided in this subsection, $60,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to extend job readiness services and employment opportunities for survivors of human trafficking and persons at risk of human trafficking, in near-airport communities in south King county.

(b) Of the amounts provided in this subsection, $80,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to develop a national awareness campaign. The campaign will increase signage in seaports, airports, and near-airport communities so that people who are vulnerable to trafficking or experiencing human trafficking can access assistance through the national human trafficking hotline.

(105) $278,000 of the general fund—state appropriation for fiscal year 2022 and $277,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization within the city of Tacoma for social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture, becoming proficient in civic education, and overcoming barriers to social, political, racial, economic, and cultural community development.

(106) $100,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to provide college accredited courses through alternative methods to disadvantaged adults, such as those experiencing homelessness, who are low-income, come from generational poverty, or have a disabling condition, including those that are further impacted by systemic racism, who do not believe they can be successful or have not yet contemplated college for their future with the intent of engaging these individuals in further education to increase their lifelong wage potential.

(107)(a) ((~~$351,000~~)) $151,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$332,000~~)) $532,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a nonprofit organization with demonstrated expertise in the creative arts and strategic planning to establish a Washington state creative economy work group that within two years, and with the advice of the work group, develops a strategic plan to improve the Washington state creative economy that can be rolled out in incremental phases to reach identified economic, social justice, and business development goals.

(b) The goal of the strategic plan must be to ensure that the state of Washington is competitive with respect to attracting creative economy business, retaining talent within the state, and developing marketable content that can be exported for national and international consumption and monetization. The strategic plan must address support for the creative community within historically marginalized communities, as well as the creative economy at large, and take into account the diverse interests, strengths, and needs of Washington's population on both sides of the Cascade mountains.

(c) The chair of the work group must be the director of the nonprofit organization contracted with by the department or the director's designee, and must have significant experience working as an artist, producer, or director and in business development, including drafting business plans and multidisciplinary planning documents. The chair must appoint representatives to the work group who represent the range of demographic diversity across the state of Washington, including:

(i) A representative from the Washington state association of counties;

(ii) A representative from the association of Washington cities;

(iii) A representative from the Washington state arts commission;

(iv) A representative from the Washington state labor council;

(v) A representative from the banking industry with experience in matters involving the federal small business administration;

(vi) An appropriate number of representatives from the Washington state arts community including, but not limited to, the following sectors:

(A) Film, television, and video production;

(B) Recorded audio and music production;

(C) Animation production;

(D) Video game development;

(E) Live theater, orchestra, dance, and opera;

(F) Live music performance;

(G) Visual arts, including sculpture, painting, graphic design, and photography;

(H) Production facilities, such as film and television studios; and

(I) Live music or performing arts venues;

(vii) A representative from a certified public accounting firm or other company with experience in financial modeling and in the creative arts;

(viii) A representative selected by the Washington state commission on African American affairs, the Washington state commission on Hispanic affairs, the governor's office of Indian affairs, and the Washington state commission on Asian Pacific American affairs to represent the entities on the work group;

(ix) A representative of a federally recognized Indian tribe with a reservation located east of the crest of the Cascade mountains;

(x) A representative of a federally recognized Indian tribe with a reservation located west of the crest of the Cascade mountains; and

(xi) Other state agency representatives or stakeholder group representatives, at the discretion of the work group, for the purpose of participating in specific topic discussions.

(d) In developing the strategic plan for the Washington state creative economy, the work group must:

(i) Identify existing studies of aspects affecting the creative economy, including studies relating to tax issues, legislation, finance, population and demographics, and employment;

(ii) Conduct a comparative analysis with other jurisdictions that have successfully developed creative economy plans and programs, including the states of Georgia and New Mexico, and the provinces of British Columbia and Ontario, Canada;

(iii) Conduct in-depth interviews to identify best practices for structuring a strategic plan for the state of Washington;

(iv) Evaluate existing banking models for financing creative economy projects in the private sector and develop a financial model to promote investment in Washington's creative economy;

(v) Evaluate existing state and county tax incentives and make recommendations for improvements to support the creative economy;

(vi) Identify the role that counties and cities play with respect to the strategic plan, and identify specific counties and cities that may need or want a stronger creative economy;

(vii) Identify opportunities for synergies with new business models and the integration of new technologies; and

(viii) Identify the role that state education programs in the creative arts play in the creative economy and with respect to advancing the strategic plan.

(e) The department of commerce shall facilitate the timely transmission of information and documents from all appropriate state departments and agencies to the nonprofit organization contracted under this subsection. The work group must report its findings and recommendations to the appropriate committees of the legislature by December 1, 2022. The contracted nonprofit must administer the expenses of the work group.

(108) ((~~$300,000~~)) $153,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $147,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit museum and science and technology center located in the city of Seattle that provides youth educational programming related to discovery, experimentation, and critical thinking in the sciences for a maker and innovation lab and to develop and operate new experiential learning opportunities.

(109) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to contract with a statewide association that supports a network of local asset building coalitions for programs to increase the financial stability of low-income Washingtonians adversely affected economically by COVID-19 through increasing participation in earned income tax credit refunds, the Washington retirement marketplace, and programs that build personal savings.

(110) ((~~$421,000~~)) $971,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $3,561,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to continue starting up the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) $100,000 of the general fund—state appropriation for fiscal year 2022 and $600,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b)(i) $450,000 of the general fund—state appropriation for fiscal year 2022 and $1,800,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant program through the office of firearm safety and violence prevention for evidence-based services to youth who are at high risk to perpetrate gun violence and who reside in areas with high rates of gun violence. Priority shall be given to:

(A) One site in Yakima county, one site in south King county, and one site in Tacoma;

(B) Sites that partner with the University of Washington public behavioral health & justice policy division to deliver culturally relevant family integrated transition services through use of credible messenger advocates;

(C) Sites that partner with the University of Washington Harborview firearm injury and policy research program for social impact evaluation; and

(D) Sites that partner an organization focused on evidence-based implementation management identified by the department.

(ii) The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(111) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to conduct a study and report to the legislature on city and county implementation of the multifamily housing property tax exemption. The report must:

(a) Review whether cities have practices in five areas:

(i) Evaluating the financial feasibility and total costs of proposed developments under the exemption;

(ii) Monitoring rent, occupancy, and demographics of tenants of exempt housing;

(iii) Identifying direct or indirect displacement risks, and changes in income and rent distributions associated with new housing development, and plans and approaches;

(iv) Identifying practices that encourage permanent affordable rental opportunities; and

(v) Monitoring whether the exemption assists cities in meeting goals under the growth management act;

(b) Identify at least five case studies on a range of cities and provide analysis:

(i) Comparing the rent in income restricted units to market rate units in the same development and to the surrounding area;

(ii) Comparing the anticipated impact on rents and project budgets, and on public benefit under eight-year, 12-year, and 20-year property tax exemption scenarios;

(iii) Looking at permanent affordable rentals; and

(iv) Evaluating changes in income distribution, rent distribution, commute/location, and displacement risks in areas with exempt housing; and

(c) Estimate other state and local tax revenue generated by new housing developments and how it compares to the property tax exemption.

(112) $195,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to Spokane county for costs related to redistricting activities required by chapter 36.32 RCW.

(113) $130,000 of the general fund—state appropriation for fiscal year 2022 and $130,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a nonprofit organization to provide tiny homes for veterans.

(114) ((~~$210,000~~)) $170,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$90,000~~)) $130,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to perform an analysis of the property operations and maintenance costs and tenant supportive services costs for affordable housing projects that receive funding from the Washington housing trust fund. The projects to be analyzed must include, but are not limited to, permanent supportive housing and youth housing taking into consideration housing projects that have been in service for a sufficient time that actual costs can be determined. The analysis shall include a categorized overview of the expenses and fund sources related to the maintenance, operations, and supportive services necessary for the affordable housing projects to be successful in housing the intended population, as well as identify other available funding sources for these costs. The analysis must also explore the timing and alignment challenges for pairing operational and supportive services funding with the initial capital investments, and make recommendations relating to any benchmarks that can be established regarding future costs that would impact the operating budget, and about the state's role in planning, support, and oversight to ensure long-term sustainability of these projects. The department may hire a consultant to conduct this study. The department shall report its findings and recommendations to the office of financial management and the appropriate committees of the legislature by December 1, 2022.

(115) $157,000 of the general fund—state appropriation for fiscal year 2022 and $154,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute Senate Bill No. 5383 (public telecom services). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(116) $1,555,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $1,592,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5141 (environmental justice task force). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(117) $946,000 of the general fund—state appropriation for fiscal year 2022 and $921,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute Senate Bill No. 5368 (rural economic development). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(118) $114,000 of the general fund—state appropriation for fiscal year 2022 and $110,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5287 (affordable housing incentives). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(119) $250,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$250,000~~)) $1,026,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Senate Bill No. 5345 (industrial waste program). Of the amounts provided in this subsection, $175,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$175,000~~)) $951,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to local industrial waste symbiosis projects as provided in the bill. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(120) ((~~$1,250,000~~)) $700,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,250,000~~)) $1,800,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5353 (law enforcement community engagement). Of the amounts provided in this subsection, $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants awarded under this bill. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(121) $66,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Second Substitute Senate Bill No. 5183 (nonfatal strangulation). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(122) $40,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Substitute Senate Bill No. 5126 (climate commitment). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(123) $2,500,000 of the general fund—state appropriation for fiscal year 2022 and $2,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to administer a competitive grant program for grants to community-based programs to provide reentry services for formerly incarcerated persons and supports to facilitate successful transitions to the community. The department must work in collaboration with the statewide reentry council to administer the program. Applicants must provide a project proposal to the department as a part of the application process. Grant awards provided under this subsection may be used for costs including but not limited to housing, case management and navigators, employment services, family reunification, and legal services to respond to collateral impacts of reentry. The department must award at least 30 percent of the funding provided in this subsection to applicants located in rural counties.

(124) ((~~$2,500,000~~)) $2,000,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$2,500,000~~)) $3,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(125)(a) $5,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to provide grant funds to Clallam county to support the preservation of private marine transportation activities and jobs associated with such activities that have been directly impacted by the closure of the United States-Canada border during the COVID-19 pandemic.

(b) To be eligible for a grant from the county under this subsection the business must:

(i) Apply for or have applied for the grant from the county;

(ii) Have expenses that are necessary to continue business operations and the expense is not a federal, state, or local tax, fee, license, or other government revenue;

(iii) Provide documentation to demonstrate that the expense is not funded by any other government or private entity;

(iv) Demonstrate the business was actively engaged in business, and as a result of the border closures the business temporarily totally closed operations;

(v) Have experienced at least a significant reduction in business income or activity related to United States-Canada border closures;

(vi) Agree to operate in accordance with the requirements of applicable federal, state, and local public regulations including health and safety measures;

(vii) Demonstrate significant economic contribution of their business to the state and local economy; and

(viii) Be a majority United States owned entity operating a United States flag vessel registered and operated under the laws of the United States.

(c) Grant funds may be used only for expenses incurred on or after March 1, 2020. Eligible expenses for grant funds include:

(i) Upgrading physical workplaces to adhere to new safety or sanitation standards;

(ii) Procuring required personal protective supplies for employees and business patrons and clients;

(iii) Updating business plans;

(iv) Employee costs, including payroll, training, and onboarding;

(v) Rent, lease, mortgage, insurance, and utility payments;

(vi) Securing inventory, supplies, and services for operations; and

(vii) Maintenance and operations costs associated with vessel operations.

(d) The county must submit a report to the department by June 30, 2022, outlining the use of funds, specific expenditures of the grantees, and revenue and expenses of the grantees including additional government or private funds or grants received.

(126) ((~~$1,656,000~~)) $1,162,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,615,000~~)) $2,109,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to publish the guidelines and guidance set forth in (a), (b), and (c) of this subsection. The department shall publish the guidelines and guidance described in (a), (b), and (c) of this subsection no later than June 30, 2023. From amounts provided in this subsection, pursuant to an interagency agreement, the department shall provide funding to the department of ecology, the department of health, the department of fish and wildlife, the department of natural resources, the department of health, and the emergency management division of the military department to fund activities that support the work specified in (a), (b) and (c) of this subsection.

(a) The department, in consultation with the department of ecology, the department of health, and the department of transportation, shall publish guidelines that provide a set of actions counties and cities may take, under existing statutory authority, through updates to their comprehensive plans and development regulations that have a demonstrated ability to reduce greenhouse gas emissions in order to achieve the statewide greenhouse gas emissions reductions set forth in RCW 70A.45.020(1), allowing for consideration of the emissions reductions achieved through the adoption of statewide programs. The guidelines must prioritize reductions in communities that have experienced disproportionate harm due to air pollution and may draw upon the most recent health disparities data from the department of health to identify high pollution areas and disproportionately burdened communities.

(b) The department, in consultation with the department of transportation, shall publish guidelines that specify a set of actions counties and cities may take through updates to their comprehensive plans and development regulations that have a demonstrated ability to reduce per capita vehicle miles traveled, including measures that are designed to be achievable throughout the state, including in small cities and rural cities.

(c) The department shall develop, in collaboration with the department of ecology, the department of fish and wildlife, the department of natural resources, the department of health, and the emergency management division of the military department, as well as any federally recognized tribe who chooses to voluntarily participate, guidance that creates a model climate change and resiliency element that may be used by counties, cities, and multiple-county planning regions for developing and implementing climate change and resiliency plans and policies subject to the following provisions:

(i) The model element should provide guidance on identifying, designing, and investing in infrastructure that supports community resilience to climate impacts, including the protection, restoration, and enhancement of natural infrastructure as well as traditional infrastructure and protecting natural areas resilient to climate impacts, as well as areas of vital habitat for safe passage and species migration;

(ii) The model element should provide guidance on identifying and addressing natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfires, and other effects of reasonably anticipated changes to temperature and precipitation patterns;

(iii) The model element must recognize and promote as many cobenefits of climate resilience as possible, such as salmon recovery, ecosystem services, and supporting treaty rights; and

(iv) The model element must prioritize actions in communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change and may draw upon the most recent health disparities data from the department of health to identify disproportionately burdened communities.

(d) If the department publishes any subsequent updates to the guidelines published pursuant to (a) or (b) of this subsection, the department shall include in any such update a determination of whether adequate progress has been made toward the statewide greenhouse gas and per capita vehicle miles traveled reduction goals. If adequate progress is not being made, the department must identify in any updates to the guidelines what additional measures cities and counties may take in order to make further progress.

(e) The department, in the course of implementing this subsection, shall provide and prioritize options that support housing diversity and that assist counties and cities in meeting greenhouse gas emissions reduction and other requirements established under chapter 70A.45 RCW.

(127) $240,000 of the general fund—state appropriation for fiscal year 2022 and $95,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to collaborate with the department of children, youth, and families to jointly convene and facilitate a child care collaborative task force to continue the work of the task force created in chapter 368, Laws of 2019 (2SHB 1344) to establish a true cost of quality of child care. The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by November 1, 2022.

(128) $10,000,000 of the Washington housing trust account—state appropriation is provided solely for housing that serves people with intellectual and developmental disabilities.

(129) $25,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to expand the low-income home energy assistance program. Funds provided in this subsection may be used to provide assistance to individuals applying for assistance with income equal to or less than 300 percent of the federal poverty level.

(130) $25,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to expand the low-income home water assistance program. The amount provided in this subsection may be used to provide assistance to individuals applying for assistance with income equal to or less than 300 percent of the federal poverty level.

(131) $50,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants for public and private water, sewer, electric, and natural gas utilities to address low-income customer arrearages compounded by the COVID-19 pandemic and the related economic downturn that were accrued between March 1, 2020, and December 31, 2021.

(a) By May 27, 2022, each utility that wishes to participate, must opt-in to the grant program by providing the department the following information:

(i) Current arrearage balances for residential customers as of March 31, 2022; and

(ii) Available information on arrearage balances of low-income customers, including customers who received assistance from the low-income home energy assistance program, low-income water assistance program, or ratepayer-funded assistance programs between April 1, 2020, and March 31, 2022, as of March 31, 2022. If a utility does not have access to information regarding customer participation in these programs, the department must distribute funding to the community action program serving the same service area as the utility instead of the utility.

(b) In determining the amount of funding each utility may receive, the department must consider:

(i) Each participating utility's proportion of the aggregate amount of arrearages among all participating utilities;

(ii) Utility service areas that are situated in locations experiencing disproportionate environmental health disparities;

(iii) American community survey poverty data; and

(iv) Whether the utility has leveraged other fund sources to reduce customer arrearages.

(c) The department may retain up to one percent of the funding provided in this subsection to administer the program.

(d) Each utility shall disburse funds directly to customer accounts by December 31, 2022. Funding shall only be distributed to customers that have participated in the low-income home energy assistance program, low-income water assistance program, or ratepayer-funded assistance programs.

(e) Utilities may, but are not required to, work with other utilities or use community action agencies to administer these funds following the eligibility criteria for the low-income home energy assistance program and the low-income household water assistance program.

(f) By March 1, 2023, each utility who opted into the grant program must report to the department, utilities and transportation commission, and state auditor on how the funds were utilized and how many customers were supported.

(g) Utilities may account for and recover in rates administrative costs associated with the disbursement of funds provided in this subsection.

(132) $10,000,000 of the general fund—state appropriation for fiscal year 2023 is provided to the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.

(a) Up to $500,000 per biennium may be allocated as grant funding to local jurisdictions. Awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants must be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021.

(b) Up to $500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.

(c) Within the amounts not utilized under (a) and (b) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.

(d) The department must develop a process for consulting with local governments, affected stakeholders, and the legislature to establish emphasis areas for competitive grant distribution and for research priorities. The department must complete a report on emphasis areas and research priorities by June 30, 2023.

(133) $4,500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to the city of Seattle for deposit into the Skagit environmental endowment fund to support the protection of the headwaters of the Skagit river watershed through the acquisition of land, mining, and/or timber rights. This grant must be matched by nonstate sources.

(134) $40,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants to local jurisdictions, or nonprofit entities within those jurisdictions, that are engaged in a memorandum of understanding with state agencies regarding the reduction of the number of persons residing on public rights of way by transitioning them to permanent housing solutions. Funding may be used to provide outreach, shelter, transportation, and other services needed to assist individuals residing on public rights of way to secure permanent housing.

(135) $125,000,000 of the community reinvestment account—state appropriation is provided solely for community reinvestment grants to eligible entities.

(a) Grant funding must be distributed across the following areas:

(i) Economic development, which includes addressing wealth disparities to promote asset building such as home ownership and expanding access to financial resources including, but not limited to, grants and loans for small businesses and entrepreneurs, financial literacy training, and other small business training and support activities;

(ii) Post conviction relief and case assistance, including the expungement of criminal records and vacation of criminal convictions;

(iii) Community-based violence intervention and prevention services; and

(iv) Reentry services to facilitate successful transitions for persons formerly incarcerated in an adult correctional facility or juvenile residential facility in Washington.

(b) The department is encouraged to distribute funding to the four reinvestment areas described in (a) of this subsection rapidly using existing programs and networks. Any funding not distributed within existing programs and networks must ensure the following:

(i) The projects or programs will produce significant long-term economic benefits to the state, a region of the state, or a particular community in the state;

(ii) The projects or programs do not require continuing state support;

(iii) The investments will result in significant long-term economic benefits in the form of new jobs, job retention, increased personal wealth, or higher incomes for citizens of the state or a particular community in the state;

(v) The expenditure will not supplant private investment; and

(vi) The expenditure is accompanied by additional public or private investment.

(c) Eligible entities may include nonprofit organizations, local businesses, community or neighborhood associations, or collaborations of the same.

(d) The distribution of the grants under this subsection (135) must be conducted in collaboration with the governor's office of Indian affairs, the office of equity, and "by and for community organizations" as defined by the department of commerce and the office of equity.

(136) $7,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct outreach activities for the working families tax exemption established in RCW 82.08.0206 and the federal earned income tax credit. The legislature intends for this expenditure to be one-time. Of the amounts provided in this subsection:

(a) $4,800,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants to community-based organizations to conduct outreach activities and application assistance for individuals eligible for the working families tax exemption. In awarding the funds, the department must award grants to at least two community-based organizations in each county. Of the amounts provided in this subsection (a), 25 percent must be used for outreach activities serving tribal and urban Indian communities, communities of color, and households in rural areas.

(b) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants to community-based organizations to conduct outreach activities and application assistance for individuals eligible for the working families tax exemption who file or may be eligible to file using a valid individual taxpayer identification number. Grant recipients may also use grant funds to assist individuals in obtaining valid individual tax identification numbers.

(c) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide oversight, technical assistance, and training for grant recipients; conduct language access activities; create a statewide outreach plan; and for other administrative costs.

(137) $4,092,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5566 (independent youth housing). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(138) $7,300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color and rural communities.

(139) $1,124,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to expand health care access points with increased services from Tubman center for health and freedom to address disparate health outcomes of Black Washingtonians.

(140) $3,335,000 of the general fund—state appropriation for fiscal year 2022 and $2,223,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to Snohomish county to stabilize newly arriving Afghan refugees.

(141) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a peer-led community and hospitality space located in south King county to expand services for women engaging in the sex trade.

(142) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization to develop a K-12 school building ventilation technical assistance, outreach, and education program. The grant recipient must be located in a city with a population of more than 700,000 and must have experience administering a statewide technical assistance, outreach, and education program for building operators.

(143) $500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to a Tacoma-based nonprofit dental clinic with a location in unincorporated Pierce county to continue to provide dental services to low-income youth.

(144) $92,000 of the general fund—state appropriation for fiscal year 2022 and $93,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization within the city of Tacoma for social services and educational programming to assist Latinx, Spanish speaking, and indigenous communities in addressing domestic violence. Funding can be used to provide client advocacy as well as safe housing, costs of appropriate expenses during the course of trauma, and overcoming barriers to social, political, racial, economic, and cultural community development.

(145) $120,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(146) $350,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a Tacoma-based nonprofit multicultural center to support the operations of food bank networks and to be reimbursed for equipment purchased for preventative maintenance on food bank network buildings.

(147) $3,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a statewide nonprofit organization whose sole purpose is to provide grants, training and capacity building, networking and resource coordination, and technical assistance to nonprofit microenterprise development organizations in Washington state that support small businesses.

(148) $500,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to a Kent-based, community-based nonprofit organization that serves culturally and linguistically diverse families of persons with developmental and intellectual disabilities for predevelopment funds to accelerate the production of new affordable housing and a multicultural community center.

(149) $400,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a Tacoma-based business center that supports women and minority-owned businesses to expand outreach in underserved communities, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(150) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(151) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(152) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a maritime education nonprofit that will support outreach, recruitment, and maritime educational experiences at the new maritime high school in the highline public school district including developing mentorship and internship programs. Funds may be used to support the school's growth to full enrollment of 400 students, to pursue enrollment that reflects the diversity of the district, to aid recruitment activities that will include partnering with regional middle schools including hands-on learning experiences on vessels, and to support curriculum that gives students STEM skills and pathways to maritime careers, including in the sciences, vessel operations and design, and marine construction.

(153) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(154) $250,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(155) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to report how the department will collect demographic and geographic information from organizations who receive direct or indirect grants from the department.

(a) The department may contract to complete the report. The department must collaborate with the one Washington enterprise resource planning team to determine what demographic and geographic data elements would be consistent with data elements in the extended financials and procurement phase of one Washington.

(b) The report must also include accurate cost and time estimates needed to collect the demographic and geographic information from department grantees and their subgrantees. The department must consult with the work group established in section 116(13) of this act to ensure that demographic tracking information can be used to help create an accurate definition of "by and for organizations." The department must report to the legislature by June 30, 2023. The report must include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current grant agreements to collect demographic and geographic data;

(ii) The cost and time required for the department to incorporate the collection of demographic and geographic data into future grant agreements;

(iii) The cost and time required for the department to align demographic and geographic data points to the one Washington program to serve as a data collection system and repository of demographic and geographic data on all department grant agreements;

(iv) In addition to the one Washington program, an analysis of other information technology systems that can serve as a unified single data collection system and repository for demographic and geographic data on all department grant agreements. This analysis should compare and contrast the efficiency and effectiveness of each system with the capabilities, cost, and timeliness of using the one Washington program for this purpose; and

(v) Recommendations on grants that should be excluded from the responsibility to collect demographic and geographic data.

(156) $88,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(157) $35,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to provide a grant to a public facility district created under chapter 36.100 RCW that can document losses of more than $200,000,000 in cumulative anticipated tax, event, and marketing revenues in 2020, 2021, and 2022, including lost revenue due to cancellations or a reduction of participants in conventions that would have been hosted in Washington state, less grants or loans from federal and state government programs. Eligible public facilities districts may receive a maximum $35,000,000 grant. Public facility districts must provide the department with financial records that document the lost revenue to be eligible to receive a grant.

(158) $7,500,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department will work with stakeholders and grantees to increase current contracts and distribute funds to account for increases in housing and services costs across the state.

(159) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a program to build capacity and promote the development of nonprofit community land trust organizations in the state. Funds shall be granted by the department to one or more nonprofit organizations with technical expertise on community land trusts. These funds shall be used to provide technical assistance and training to help community land trusts increase the production of affordable housing.

(160) $15,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant program to reimburse lodging establishments that have experienced losses during the state's eviction moratorium pursuant to the governor's proclamations. The department must work with impacted lodging establishments to develop criteria for the administration of this grant program. The department will verify actual eligible losses to be reimbursed. Actual eligible losses include room charges not paid by persons who stayed during the moratorium, any legal expenses incurred by lodging establishments as a result of the moratorium, and any repair expenses directly attributed to damages to rooms. For the purposes of this subsection (160), "lodging establishment" means a hotel, motel, or similar establishment taxable by the state under chapter 82.08 RCW that has 40 or more lodging units.

(161)(a) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a cost-benefit analysis on the use of agrivoltaic and green roof systems on projected new buildings with a floor area of 10,000 square feet or larger to be developed over the next 20 years in communities of 50,000 or greater. The department shall consult with the department of ecology, private sector representatives, and an organization that has experience conducting cost-benefit analyses on green roofing. The cost-benefit analysis must include:

(i) The impact of widespread green and agrivoltaic roof installation on stormwater runoff and water treatment facilities in communities with a population of greater than 50,000;

(ii) Potential water quality and peak flow benefits of widespread green and agrivoltaic roof installation;

(iii) Public health impacts;

(iv) Air quality impacts;

(v) Reductions in fossil fuel use for buildings with agrivoltaic systems;

(vi) Energy efficiency of buildings with agrivoltaic systems;

(vii) Job creation; and

(viii) Agrivoltaic installation and maintenance costs.

(b) The department shall submit the report to the energy policy and fiscal committees of the legislature by June 30, 2023, that includes, but is not limited to:

(i) The results of the cost-benefit analysis in (a) of this subsection;

(ii) Recommendations on how agrivoltaic and green roofs can be integrated into new and existing building code requirements related to stormwater codes, energy codes, and the transition away from natural gas;

(iii) An examination of existing programs at the city and county level in Washington state;

(iv) A description of the policy components and framework for green and agrivoltaic roof policies and related incentive programs; and

(v) Incentive recommendations for building owners who cover more than 50 percent of the roof surface with a green or agrivoltaic roof.

(162) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a community-based organization in Whatcom county for a program that connects local food producers with retail and wholesale consumers.

(163) $60,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to Yakima county to contract with a Yakima-based nonprofit organization to complete the planning and development of a community wildfire protection plan.

(164) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute Senate Bill No. 5241 (economic inclusion). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(165) $3,500,000 of the growth management planning and environmental review account—state appropriation is provided solely for implementation of Senate Bill No. 5312 (transit-oriented development). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(166) $1,091,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5910 (hydrogen). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(167) $1,400,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a Seattle-based nonprofit organization to provide technical assistance to local governments to ensure that they are appropriately applying current laws and guidelines to ensure a fair, predictable public works bidding process and to provide bid preparation technical assistance to small businesses.

(168) $1,637,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5722 (greenhouse gases/buildings). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(169) $5,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant program to assist businesses registered with the department of revenue under RCW 82.32.030 that are dependent on the economic activity created through conventions hosted in Washington state to maintain their operations.

(a) To be eligible for a grant under this subsection, the business must:

(i) Apply for or have applied for the grant;

(ii) Have reported annual gross receipts of $100,000,000 or less to the department of revenue for calendar year 2019;

(iii) Have expenses that are necessary to continue business operations and the expense is not a federal, state, or local tax, fee, license, or other government revenue;

(iv) Self–attest that the expense is not funded by any other government or private entity;

(v) Have experienced a reduction in business income or activity related to COVID-19 or state or local actions in response to COVID-19;

(vi) Have met one or more of the following criteria:

(A) Hosted a convention in Washington;

(B) Have a business that provided support services to conventions in Washington; or

(C) Have a business that depends on the function of conventions to sell goods and services in Washington state; and

(vii) Agree to operate in accordance with the requirements of applicable federal, state, and local public health guidance and directives.

(b) The grant award shall equal the loss in revenue between 2019 and 2021 due to a cancellation or a reduction of participants in a convention hosted in Washington state in 2020 or 2021, less grants or loans from federal and state government programs, and may not exceed $500,000.

(c) Eligible participants must provide the department of commerce with:

(i) Financial records from 2019 that can provide a basis for revenue received from convention activity in Washington state prior to the COVID-19 outbreak; and

(ii) Financial records from 2020 and 2021 that show a reduction in gross revenue received from convention activity in Washington state during the COVID-19 outbreak.

(d) If a business received one or more working Washington small business grants, the grant awarded under this subsection must be reduced to reflect the amounts received from previous working Washington small business grants.

(170) $8,500,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021. The department shall collaborate with the interagency electric vehicle coordinating council established in Engrossed Substitute Senate Bill No. 5974 (transportation resources) when developing the tool and must work to meet benchmarks established in Engrossed Substitute Senate Bill No. 5974 (transportation resources).

(171) $69,500,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant program for the development of electric vehicle charging infrastructure in rural areas, office buildings, multifamily housing, ports, schools and school districts, and state and local government offices.

(a) Grants in this subsection are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

(b) Projects that receive funds under this subsection must be implemented by local governments, federally recognized tribal governments, or by public and private electrical utilities that serve retail customers in the state. Grant funding must be used for level 2 or higher charging infrastructure.

(c) The department must give preference to projects that provide level 3 or higher charging infrastructure.

(d) The department of commerce must coordinate with other electrification programs, including projects the department of transportation is developing, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in Engrossed Substitute Senate Bill No. 5974 (transportation resources) to implement this subsection and must work to meet benchmarks established in Engrossed Substitute Senate Bill No. 5974 (transportation resources).

(172) $75,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, government buildings, and other publicly owned infrastructure.

(173) $20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities.

(a) Grants are not to exceed $20,000 per community solar project and are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the program is benefiting from.

(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, stormwater collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.

(c) For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 199 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.

(174) $20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for additional working Washington grants to eligible businesses and nonprofit organizations under subsection (86)(i) of this section.

(175) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5758 (condominium conversions). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(176) $217,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5825 (rental and vacant property registration). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(177) $404,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5803 (wildfires/electric utilities). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(178) $87,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5760 (motion picture program). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(179) $10,759,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5964 (local permit review process) and includes funding for the implementation of a digital permitting process work group. If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse. Of the amount provided in this subsection:

(a) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a consolidated permit review grant program; and

(b) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant program for local governments to update their permit review process from paper filing systems to software systems capable of processing digital permit applications, virtual inspections, electronic reviews, and capacity for video storage.

(180) $1,054,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (transportation resources). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(181) $1,191,000 of the dedicated marijuana account—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(182) $200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma-based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(183) $15,729,000 of the general fund—state appropriation for fiscal year 2023 and $11,271,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for the landlord mitigation program created in RCW 43.31.605(1).

(184) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the developmental disabilities council to partner with racially diverse communities across the state to facilitate the development and implementation of recommendations on ways to reduce barriers and access for individuals with disabilities from immigrant communities, communities of color, and other underserved communities and to build the capacity of the Northstar coalition. No later than June 30, 2023, the developmental disabilities council, in collaboration with the office of equity, interested stakeholders, and intellectually and developmentally disabled individuals and their families, shall prepare a racial equity plan for ongoing policy development within the service delivery system of the developmental disabilities administration.

(185) $3,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for housing assistance for victims of human trafficking. The department must allocate funding through contracts with service providers that have current contracts with the office of crime victims advocacy to provide services for victims of human trafficking. A provider must use at least 80 percent of contracted funds for rental payments to landlords and the remainder for other program operation costs, including services addressing barriers to acquiring housing that are common for victims of human trafficking.

(186) $63,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5544 (blockchain work group).

(187)(a) $750,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to develop strategies for cooperation with governmental agencies of Finland, including higher education institutions, and organizations around the following:

(i) 5G connectivity, end-user applications utilizing new connectivity, and 6G;

(ii) Safety, efficiency, and green transformation of ports and other logistics including digitalization and connectivity; and

(iii) Green transformation of transport, including circular economy solutions for batteries.

(b) By June 30, 2023, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(188) $3,335,000 of the general fund—state appropriation for fiscal year 2022 and $2,223,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to counties to stabilize newly arriving refugees from the 2022 Ukraine-Russia conflict.

**Sec.**  2021 c 334 s 130 (uncodified) is amended to read as follows:

**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2022) ((~~$903,000~~))

$907,000

General Fund—State Appropriation (FY 2023) ((~~$964,000~~))

$998,000

Lottery Administrative Account—State Appropriation $50,000

TOTAL APPROPRIATION ((~~$1,917,000~~))

$1,955,000

**Sec.**  2021 c 334 s 131 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2022) ((~~$16,022,000~~))

$15,934,000

General Fund—State Appropriation (FY 2023) ((~~$15,819,000~~))

$20,180,000

General Fund—Federal Appropriation ((~~$32,507,000~~))

$33,470,000

General Fund—Private/Local Appropriation $531,000

Economic Development Strategic Reserve Account—State

Appropriation ((~~$329,000~~))

$333,000

Workforce Education Investment Account—State

Appropriation $100,000

Personnel Service Account—State Appropriation ((~~$23,431,000~~))

$18,058,000

Higher Education Personnel Services Account—State

Appropriation $1,497,000

Statewide Information Technology System

Development ((~~Maintenance and Operations~~))

Revolving Account~~—~~State Appropriation ((~~$102,037,000~~))

$97,509,000

Office of Financial Management Central Service

Account—State Appropriation ((~~$21,945,000~~))

$22,958,000

Statewide Information Technology System Maintenance

and Operations Revolving Account—State

Appropriation $4,609,000

Performance Audits of Government Account—State

Appropriation ((~~$672,000~~))

$695,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$1,560,000~~))

$1,607,000

Thurston County Capital Facilities Account—State

Appropriation $208,000

TOTAL APPROPRIATION ((~~$216,450,000~~))

$217,689,000

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

(1)(a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

(i) The number of Washington college grant and college bound recipients;

(ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;

(iii) Washington college grant recipients grade point averages; and

(iv) Washington college grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) $100,000 of the workforce education investment account—state appropriation is provided solely to the office of financial management to implement career connected learning.

(3)(a) ((~~$102,037,000~~)) $97,428,000 of the information technology system development revolving account—state appropriation, $4,609,000 of the information technology system maintenance and operations revolving account—state appropriation, $162,000 of the personnel services account—state appropriation, and $162,000 of the office of financial management central services account—state appropriation are provided solely for the one Washington enterprise resource planning statewide program. Of this amount:

(i) $7,756,000 of the information technology system development revolving account—state appropriation is provided solely for an organizational change management pool to pay for phase 1A (agency financial reporting system replacement—core financials) state agency organizational change management resources. The office of financial management will manage the pool, authorize funds, and track costs by agency by fiscal month;

(ii) $22,000,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to work associated with impacted financial systems and interfaces. The office of financial management will manage the pool, authorize funds, and track costs by agency by fiscal month;

(iii) $1,326,000 of the information technology system development revolving account—state appropriation is provided solely for three dedicated information technology consultant staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials);

(iv) $4,609,000 of the information technology system ((~~development~~)) maintenance and operations revolving account—state appropriation is provided solely for maintenance and operations costs for phase 1A (agency financial reporting system replacement—core financials), which will begin in fiscal year 2023;

(v) $9,153,000 of the information technology system development revolving account—state appropriation is provided solely for phase 1B (procurement and extended financials) in fiscal year ((~~2022~~)) 2023;

(vi) $162,000 of the personnel services account—state appropriation is provided solely for a dedicated staff for phase 2 (human resources) coordination; and

(vii) $162,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated staff for phase 3 (budget) coordination.

(b) Beginning July 1, 2021, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and the associated expenditures by each deliverable by fiscal month;

(ii) A report on the contract full time equivalent charged compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received organizational change management pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to budget spending plan;

(iv) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan;

(v) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month; and

(vi) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, starting July 1, 2021.

(c) Prior to spending any funds, the director of financial management must agree to the spending and sign off on the spending.

(d) This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

(4) $250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2021-2023 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2021-2023 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

(5) ((~~$12,741,000~~)) $6,741,000 of the personnel service account—state appropriation is provided solely for administration of orca pass benefits included in the 2021-2023 collective bargaining agreements and provided to nonrepresented employees. The office of financial management must bill each agency for that agency's proportionate share of the cost of orca passes. The payment from each agency must be deposited into the personnel service account and used to purchase orca passes. The office of financial management may consult with the Washington state department of transportation in the administration of these benefits.

(6) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

(7)(a) The office of financial management statewide leased facilities oversight team must identify opportunities to reduce statewide leased facility space given the change in business practices since 2020 whereby many state employees were mostly working remotely and may continue to do so going forward, or at least more state employees are anticipated to work remotely than in calendar year 2019.

(b) The office of financial management will work to identify opportunities for downsizing office space and increased collocation by state agencies, especially for any leases that will be up for renewal effective July 1, 2022, through June 30, 2024.

(c) The office of financial management must, in collaboration with the department of enterprise services, identify and make recommendations on reduction in leased office space by agency for fiscal years 2024 and 2025. The analysis must include detailed information on any reduced costs, such as lease contract costs, and include at least:

(i) Agency name;

(ii) Lease contract number and term (start and end date);

(iii) Contract amount by fiscal year; and

(iv) Current and future projected collocated agency tenants.

(d) The office of financial management must submit a report responsive to (a), (b), and (c) of this subsection to fiscal and appropriate policy committees of the legislature by June 30, 2022.

(8) $105,000 of the general fund—state appropriation for fiscal year 2022 and $68,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5163 (conditionally released sexually violent predators). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(9) $79,000 of the general fund—state appropriation for fiscal year 2022 and $79,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for staffing for the sentencing guidelines commission.

(10) ((~~$90,000 of the general fund—state appropriation for fiscal year 2022 and $166,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of financial management to complete the following activities:~~

~~(a) By December 1, 2022, and consistent with RCW 43.01.036, the office of financial management must submit a report to the legislature that assesses how to incorporate a net ecological gain standard into state land use, development, and environmental laws and rules to achieve a goal of better statewide performance on endangered species recovery and ecological health. The report must address each environmental, development, or land use law or rule where the existing standard is less protective of ecological integrity than the standard of net ecological gain, including the shoreline management act (chapter 90.58 RCW), the growth management act (chapter 36.70A RCW), construction projects in state waters (chapter 77.55 RCW), and the model toxics control act.~~

~~(b) In developing the report under this section, the office of financial management must consult with the appropriate local governments, state agencies, federally recognized Indian tribes, and stakeholders with subject matter expertise on environmental, land use, and development laws including but not limited to cities, counties, ports, the department of ecology, the department of fish and wildlife, and the department of commerce.~~

~~(c) The report must include:~~

~~(i) Development of a definition, objectives, and goals for the standard of net ecological gain;~~

~~(ii) An assessment and comparison analysis of opportunities and challenges, including legal issues and costs on state and local governments to achievement of overall net ecological gain through both:~~

~~(A) Implementation of a standard of net ecological gain under different environmental, development, and land use laws; and~~

~~(B) An enhanced approach to implementing and monitoring no net loss in existing environmental, development, and land use laws;~~

~~(iii) Recommendations on funding, incentives, technical assistance, legal issues, monitoring, and use of scientific data, and other applicable considerations to the integration of net ecological gain into each environmental, development, and land use law or rule; and~~

~~(iv) An assessment of how applying a standard of net ecological gain in the context of each environmental, land use, or development law is likely to achieve substantial additional environmental or social co-benefits.~~

~~(11) $158,000~~)) $45,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $113,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the work of the office of financial management to conduct a feasibility study and make recommendations regarding the establishment of a system for streamlining the vacation of criminal conviction records in section 953 of this act.

((~~(12)~~)) (11)(a) $150,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the office of financial management to provide recommendations, as described in (b) of this subsection, on the procedure for providing an equity impact statement for legislative proposals, and content and format requirements for the equity impact statement.

(b) By July 1, 2022, the office of financial management must submit a report to the governor, appropriate committees of the legislature, and statutory commissions that details recommendations on:

(i) The procedure for providing an equity impact statement for legislative proposals;

(ii) The format and content requirements for the equity impact statement;

(iii) A plan, including information technology additions or revisions, necessary to provide equity impact statements;

(iv) Recommendations on which office or agency should be principally responsible for coordinating the provision of equity impact statements with state agencies; and

(v) Recommendations on any policy changes needed to implement the provision of equity impact statements.

(c) For the purpose of implementing this subsection, the office of financial management may contract with an entity or entities that have expertise in equity impact assessments.

(d) The office of financial management must consult with the governor's interagency council on health disparities and the office of equity in developing the procedures, and content and format requirements.

(e) For purposes of this subsection, "statutory commission" means the Washington state commission on African American affairs established in chapter 43.113 RCW, the Washington state commission on Asian Pacific American affairs established in chapter 43.117 RCW, the Washington state commission on Hispanic affairs established in chapter 43.115 RCW, the Washington state women's commission established in chapter 43.119 RCW, the Washington state LGBTQ commission established in chapter 43.114 RCW, and the human rights commission established in chapter 49.60 RCW.

((~~(13)~~)) (12) $785,000 of the general fund—state appropriation for fiscal year 2022 and $960,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1267 (police use of force). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(14)~~)) (13) $172,000 of the general fund—state appropriation for fiscal year 2022 and $167,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1295 (institutional ed./release). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(15) $300,000~~)) (14) $150,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$300,000~~)) $450,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of financial management to assist the health care authority, the department of social and health services, and the department of health in coordinating efforts to transform the behavioral health system and improve the collection and availability of data. Within these amounts, the office must provide direction and ensure coordination between state agencies in the forecasting of forensic and long-term civil commitment beds, transition of civil long-term inpatient capacity from state hospital to community settings, and efforts to improve the behavioral health crisis response system. Sufficient funding within this section is provided for the staff support and other costs related to the crisis response improvement strategy committee established in section 104 of Engrossed Second Substitute House Bill No. 1477 (national 988 system).

(15) $40,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of financial management to review and report on vendor rates for services provided to low-income individuals at the department of children, youth, and families, the department of corrections, and the department of social and health services. The report must be submitted to the governor and the appropriate committees of the legislature by December 1, 2022, and must include review of, at least:

(a) The current rates for services by vendor;

(b) A history of increases to the rates since fiscal year 2010 by vendor;

(c) A comparison of how the vendor increases and rates compare to inflation; and

(d) A summary of the billing methodology for the vendor rates.

(16) $72,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5036 (total confinement release). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(17) $193,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5847 (public employee PSLF info.). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(18) $20,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of financial management to conduct a comprehensive study on student access to health care, including behavioral health care, at Washington's public institutions of higher education. The comprehensive study must also include students enrolled in state registered apprenticeship programs. The study must be conducted in collaboration with the health benefit exchange, the health care authority, the state board for community and technical colleges, the council of presidents, and the student achievement council.

(a) The community and technical colleges and the four-year institutions of higher education will make the following data for the 2022-23 academic year available to the office of financial management, the state board of community and technical colleges, and the student achievement council:

(i) The health insurance status of enrolled students;

(ii) The minimum requirements for enrolled students related to health insurance coverage;

(iii) Health insurance or health care coverage options available from the school;

(iv) A description of health care services and facilities available on campus for students, including type of providers, and ways students can access these services;

(v) Out-of-pocket costs associated with accessing or using on-campus health care services and facilities;

(vi) Student demographic information regarding utilization of on-campus health care services and facilities;

(vii) Barriers to accessing on-campus health care services and facilities;

(viii) How the college or university helps students obtain health care services not offered on campus; and

(ix) Information related to partnerships with off-campus health care providers or facilities to provide services to currently enrolled students.

(b) The office of financial management shall make reasonable efforts to provide the following information:

(i) The health insurance status of students enrolled in the 2022-23 academic year;

(ii) The minimum level of health insurance coverage, if any, community and technical colleges and four-year institutions of higher education require for students;

(iii) The types of health insurance schools provide for enrolled students;

(iv) The types of health care services available on campus, including primary care and specialty care, such as emergency services and behavioral health care resources;

(v) A description of health care services available in the communities around campuses, including emergency services and behavioral health providers;

(vi) Data collection gaps that exist related to student health insurance coverage and utilization of health care resources;

(vii) On-campus primary care and specialty care services that are common on school campuses; and

(viii) Other important information in addressing health insurance access and care for students at public institutions of higher education, including issues around equity.

(c) The legislature expects the office of financial management to submit a report to the appropriate health and education committees of the legislature. The final report must include a summary of the data reviewed by the office, including information specific to each type of campus and school, when available, and recommendations for the legislature and public institutions of higher education for improving student health care coverage and access to health care services, including for students enrolled in state registered apprenticeship programs.

(19) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute Senate Bill No. 5649 (family and medical leave). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(20)(a) $25,000 of the general fund—state appropriation for fiscal year 2022 and $201,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to evaluate the effectiveness, utilization, and outcomes of the voluntary incentive programs for landowners and of existing regulatory programs responsible for protecting and restoring areas along streams and rivers toward achieving a science-based standard for a fully functioning riparian ecosystem. To accomplish the evaluation, the office must:

(i) Contract with an independent entity for the analysis. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW; and

(ii) Assist agencies with funding and advice to gather and provide the data necessary for the analysis.

(b) A preliminary report is due to the governor and the appropriate committees of the legislature by September 1, 2022, to inform the development of recommendations to be contained in a final report due by December 1, 2022.

**Sec.**  2021 c 334 s 132 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State

Appropriation ((~~$71,650,000~~))

$73,438,000

Administrative Hearings Revolving Account—Local

Appropriation $12,000

TOTAL APPROPRIATION ((~~$71,662,000~~))

$73,450,000

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

(1) $22,346,000 of the administrative hearings revolving account—state appropriation is provided solely for staffing to resolve unemployment insurance appeals. The funding is provided to meet the temporary increase in unemployment insurance hearing appeals, which began in fiscal year 2021, and to reduce the appeal to resolution wait time.

(2) $154,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5051 (peace & corrections officers). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $86,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of chapter 2, Laws of 2021 (Engrossed Substitute Senate Bill No. 5061) (unemployment insurance). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(4) $12,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5097 (paid leave coverage). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(5) $150,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5172 (agricultural overtime). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(6) $161,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care and early development programs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(7) $19,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1073 (paid leave coverage). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

**Sec.**  2021 c 334 s 133 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation ((~~$29,759,000~~))

$30,526,000

TOTAL APPROPRIATION ((~~$29,759,000~~))

$30,526,000

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

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec.**  2021 c 334 s 134 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2022) ((~~$443,000~~))

$498,000

General Fund—State Appropriation (FY 2023) ((~~$464,000~~))

$530,000

TOTAL APPROPRIATION ((~~$907,000~~))

$1,028,000

**Sec.**  2021 c 334 s 135 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$421,000~~))

$425,000

General Fund—State Appropriation (FY 2023) ((~~$431,000~~))

$1,245,000

TOTAL APPROPRIATION ((~~$852,000~~))

$1,670,000

The appropriations in this section are subject to the following conditions and limitations: $800,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission to contract with an organization for a three year project to collect and report data on the condition of black Washington residents across institutional systems and experiences, including education, healthcare, criminal justice, the workplace, and personal finance; create a dashboard displaying the data; and provide recommendations.

**Sec.**  2021 c 334 s 136 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2023) $609,000

Department of Retirement Systems Expense Account—

State Appropriation ((~~$71,462,000~~))

$74,200,000

TOTAL APPROPRIATION ((~~$71,462,000~~))

$74,809,000

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

(1) $6,007,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) $619,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Senate Bill No. 5367 (inactive retirement accounts). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $7,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5399 (universal health care commission). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(4) $286,000 of the department of retirement systems—state appropriation is provided solely for implementation of Senate Bill No. 5021 (effects of expenditure reduction). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(5) $48,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Senate Bill No. 5676 (plan 1 retiree benefit increase). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(6) $24,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Senate Bill No. 5726 (military service credit). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(7) $82,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Senate Bill No. 5748 (PSERS disability benefits). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(8) $252,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5652 (LEOFF 2 benefits). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(9) $118,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5791 (LEOFF 1 benefits). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 137 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2022) ((~~$167,182,000~~))

$172,370,000

General Fund—State Appropriation (FY 2023) ((~~$411,796,000~~))

$385,210,000

Timber Tax Distribution Account—State Appropriation ((~~$7,314,000~~))

$7,612,000

Business License Account—State Appropriation ((~~$20,335,000~~))

$21,063,000

Waste Reduction, Recycling, and Litter Control

Account—State Appropriation ((~~$162,000~~))

$173,000

Model Toxics Control Operating Account—State

Appropriation ((~~$118,000~~))

$119,000

Financial Services Regulation Account—State

Appropriation $5,000,000

TOTAL APPROPRIATION ((~~$611,907,000~~))

$591,547,000

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

(1) $1,056,000 of the general fund—state appropriation for fiscal year 2022 and $409,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement 2021 revenue legislation.

(2)(a) $1,303,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to facilitate a tax structure work group, initially created within chapter 1, Laws of 2017 3rd sp. sess. (SSB 5883) and hereby reauthorized.

(b)(i) Members serving on the tax structure work group as of the effective date of this section may continue serving on the work group. Any member not wishing to continue serving on the tax structure work group must provide written notice to the work group and the vacancy must be filled as provided in (c) of this subsection.

(ii) The work group must include the following voting members:

(A) The president of the senate must appoint two members from each of the two largest caucuses of the senate;

(B) The speaker of the house of representatives must appoint two members from each of the two largest caucuses of the house of representatives; and

(C) The governor must appoint one member who represents the office of the governor.

(iii) The work group must include the following nonvoting members:

(A) One representative of the department of revenue;

(B) One representative of the association of Washington cities; and

(C) One representative of the Washington state association of counties.

(c) Elected officials not reelected to their respective offices may be relieved of their responsibilities on the tax structure work group. Vacancies on the tax structure work group must be filled within 60 days of notice of the vacancy. The work group must choose a chair or cochairs from among its legislative membership. The chair is, or cochairs are, responsible for convening the meetings of the work group no less than quarterly each year. Recommendations of the work group may be approved by a simple majority vote. All work group members may have a representative attend meetings of the tax structure work group in lieu of the member, but voting by proxy is not permitted. Staff support for the work group must be provided by the department. The department may engage one or more outside consultants to assist in providing support for the work group. Members of the work group must serve without compensation but may be reimbursed for travel expenses under RCW 44.04.120, 43.03.050, and 43.03.060.

(d) The duties of the work group are to:

(i) By December 1, 2019, convene no less than one meeting to elect a chair, or cochairs, and conduct other business of the work group;

(ii) By December 31, 2020, the department and technical advisory group must prepare a summary report of their preliminary findings and alternatives described in (f) of this subsection;

(iii) By May 31, 2021, the work group must:

(A) Hold no less than one meeting in Olympia or virtually to review the preliminary findings described in (f) of this subsection. At least one meeting must engage stakeholder groups, as described in (e)(i) of this subsection;

(B) Begin to plan strategies to engage taxpayers and key stakeholder groups to encourage participation in the public meetings described in (f) of this subsection;

(C) Present the summary report described in (d)(ii) of this subsection in compliance with RCW 43.01.036 to the appropriate committees of the legislature;

(D) Be available to deliver a presentation to the appropriate committees of the legislature including the elements described in (e)(ii) of this subsection; and

(E) Finalize the logistics of the engagement strategies described in (d)(iv) of this subsection;

(iv) After the conclusion of the 2021 legislative session, the work group must:

(A) Hold no less than five public meetings organized by geographic region (in person or online) with special consideration for regional geographies throughout the state, rural areas, and border communities;

(B) Participate in no less than 10 existing meetings of various associations, community-based organizations, nonprofits, and similar groups in order to engage low-income and middle-income taxpayers, communities of color, senior citizens, and people with disabilities;

(C) Participate in no less than 10 existing meetings of various business and agricultural associations, chambers of commerce, ports, associate development organizations, and similar groups in order to engage small, start-up, and low-margin businesses, and other businesses;

(D) Hold no less than three listening sessions in a language other than English to engage taxpayers who speak languages including, but not limited to, Spanish, Vietnamese, Russian, and Somali;

(E) Present the findings described in (f) of this subsection and alternatives to the state's current tax structure at the public meetings utilizing a range of methods that account for different learning styles including, but not limited to, written documents, videos, animations, and graphics;

(F) Provide an opportunity at the public and other meetings for taxpayers to engage in a conversation about the state tax structure including, but not limited to, providing feedback on possible recommendations for changes to the state tax structure and asking questions about the report and findings and alternatives to the state's current tax structure presented by the work group;

(G) Utilize methods to collect taxpayer feedback before, during, or after the public meetings that may include, but is not limited to: Small group discussions, in-person written surveys, in-person visual surveys, online surveys, written testimony, and public testimony;

(H) Encourage legislators to inform their constituents about the public meetings that occur within and near their legislative districts (whether in person or online);

(I) Inform local elected officials about the public meetings that occur within and near their communities (whether in person or online);

(J) Summarize the feedback that taxpayers and other stakeholders communicated during the public meetings and other public engagement methods, and submit a final summary report, in accordance with RCW 43.01.036, to the appropriate committees of the legislature. This report may be submitted as an appendix or update to the summary report described in (d)(ii) of this subsection; and

(K) To the degree it is practicable, conduct analysis of the current tax structure and proposed alternatives to estimate the impact on taxpayers, including tax paid as a share of household income for various racial and ethnic groups as reported in the most current census data available, American community survey, or other similar data sources;

(v) During the 2022 legislative session, the work group must:

(A) Present the findings and reports described in (d)(ii) of this subsection to the appropriate committees of the legislature; and

(B) Be available to deliver a presentation to or participate in a work session for the appropriate committees of the legislature, or both;

(vi) Between the conclusion of the 2022 legislative session and December 31, 2022, the work group is directed to finalize policy recommendations and develop legislation to implement modifications to the tax structure, informed by the findings described in (d)(ii) of this subsection and the feedback received from taxpayers as reflected in the report described in (d)(iv) of this subsection. Legislative proposals recommended by the work group may not collectively result in a loss of revenue to the state as compared to the November 2022 biennial revenue forecast published by the economic and revenue forecast council. In making the recommendations, the work group must be guided by the following principles for a well designed tax system: Equity, adequacy, stability, and transparency;

(vii) During the 2023 legislative session, it is the intent of the legislature to consider the proposal described in (d)(vi) of this subsection;

(viii) If the proposal is not adopted during the 2023 legislative session, the work group is directed to host no less than three public meetings to collect feedback on the legislation proposed in the 2023 session, and may also collect feedback on other proposals under consideration by the work group, subject to the availability of funds in the 2023-2025 biennial budget. The work group is directed to modify the proposal to address the feedback collected during the public meetings;

(ix) During the 2024 legislative session, it is the intent of the legislature to consider the modified proposal described in (d)(iv) of this subsection; and

(x) By December 31, 2024, subject to the availability of funds in the 2023-2025 biennial budget, the work group is directed to submit a final report that is a compilation of all other reports previously submitted since July 1, 2019, and may include additional content to summarize final activities of the tax structure work group and related legislation, in compliance with RCW 43.01.036, to the appropriate committees of the legislature.

(e)(i) The stakeholder groups referenced by (d)(iii)(A) of this subsection must include, at a minimum, organizations and individuals representing the following:

(A) Small, start-up, or low-margin business owners and employees or associations expressly dedicated to representing these businesses, or both; and

(B) Individual taxpayers with income at or below 100 percent of area median income in their county of residence or organizations expressly dedicated to representing low-income and middle-income taxpayers, or both;

(ii) The presentation referenced in (d)(iii)(D) of this subsection must include the following elements:

(A) The findings and alternatives included in the summary report described in (d)(ii) of this subsection; and

(B) The preliminary plan to engage taxpayers directly in a robust conversation about the state's tax structure, including presenting the findings described in (f) of this subsection and alternatives to the state's current tax structure, and collecting feedback to inform development of recommendations.

(f) The duties of the department, with assistance of one or more technical advisory groups, are to:

(i) With respect to the final report of findings and alternatives submitted by the Washington state tax structure study committee to the legislature under section 138, chapter 7, Laws of 2001 2nd sp. sess.:

(A) Update the data and research that informed the recommendations and other analysis contained in the final report;

(B) Estimate how much revenue all the revenue replacement alternatives recommended in the final report would have generated for the 2017-2019 fiscal biennium if the state had implemented the alternatives on January 1, 2003;

(C) Estimate the tax rates necessary to implement all recommended revenue replacement alternatives in order to achieve the revenues generated during the 2017-2019 fiscal biennium as reported by the economic and revenue forecast council;

(D) Estimate the impact on taxpayers, including tax paid as a share of household income for various income levels, and tax paid as a share of total business revenue for various business activities, for (f)(i)(B) and (C) of this subsection; and

(E) Estimate how much revenue would have been generated in the 2017-2019 fiscal biennium if the incremental revenue alternatives recommended in the final report would have been implemented on January 1, 2003, excluding any recommendations implemented before May 21, 2019;

(ii) With respect to the recommendations in the final report of the 2018 tax structure work group:

(A) Conduct economic modeling or comparable analysis of replacing the business and occupation tax with an alternative, such as corporate income tax or margins tax, and estimate the impact on taxpayers, such as tax paid as a share of total business revenue for various business activities, assuming the same revenues generated by business and occupation taxes during the 2017-2019 fiscal biennium as reported by the economic and revenue forecast council; and

(B) Estimate how much revenue would have been generated for the 2017-2019 fiscal biennium if the one percent revenue growth limit on regular property taxes was replaced with a limit based on population growth and inflation if the state had implemented this policy on January 1, 2003;

(iii) Analyze our economic competitiveness with border states:

(A) Estimate the revenues that would have been generated during the 2017-2019 fiscal biennium, had Washington adopted the tax structure of those states, assuming the economic tax base for the 2017-2019 fiscal biennium as reported by the economic and revenue forecast council; and

(B) Estimate the impact on taxpayers, including tax paid as a share of household income for various income levels, and tax paid as a share of total business revenue for various business activities for (f)(iii)(A) of this subsection;

(iv) Analyze our economic competitiveness in the context of a national and global economy, provide comparisons of the effective state and local tax rate of the tax structure during the 2017-2019 fiscal biennium and various alternatives under consideration, as they compare to other states and the federal government, as well as consider implications of recent changes to federal tax law;

(v) Conduct, to the degree it is practicable, tax incidence analysis of the various alternatives under consideration to account for the impacts of tax shifting, such as business taxes passed along to consumers and property taxes passed along to renters;

(vi) Present findings and alternatives, to the degree it is practicable, by geographic area, in addition to statewide; and

(vii) Conduct other analysis as directed by the work group.

(3) $292,000 of the general fund—state appropriation for fiscal year 2022 and $162,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 4, Laws of 2021 (SHB 1095) (emergency assistance/tax).

(4) $212,000 of the general fund—state appropriation for fiscal year 2022 and $33,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1477 (national 988 system). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $213,000 of the general fund—state appropriation for fiscal year 2022 and $55,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5000 (hydrogen/electric vehicles). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(6) $2,489,000 of the general fund—state appropriation for fiscal year 2022 and $4,189,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5096 (capital gains tax). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(7) $100,000 of the general fund—state appropriation for fiscal year 2022 and $11,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Senate Bill No. 5220 (salmon recovery grants/tax). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(8) $7,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5251 (tax and revenue laws). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(9) $115,000 of the general fund—state appropriation for fiscal year 2022 and $44,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5396 (farmworker housing/tax). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(10) $97,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1480 (liquor licensee privileges). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(11) $4,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Engrossed Senate Bill No. 5454 (prop. tax/natural disasters). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(12) $5,467,000 of the general fund—state appropriation for fiscal year 2022 and $255,513,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1297 (working families tax exempt.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~)) Of the total amounts provided in this subsection:

(a) $5,467,000 of the general fund—state appropriation for fiscal year 2022 and $13,513,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for administration of the working families tax exemption program; and

(b) $242,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for remittances under the working families tax exemption program.

(13) $617,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the agency to relocate staff in the Bothell office to a more affordable location that has a lower lease cost than the current facility.

(14) $13,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Senate Bill No. 5598 (derelict vessel removal). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(15) $197,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5924 (penalties and interest provisions). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(16) $16,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of House Bill No. 1765 (business and occupation tax exemption). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(17) $129,000 of the general fund—state appropriation for fiscal year 2022 and $37,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5744 (clean energy tax deferral). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(18) $109,000 of the general fund—state appropriation for fiscal year 2022 and $22,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Senate Bill No. 5705 (tax deferral for certain highway projects). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(19) $512,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5531 (uniform unclaimed property). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(20) $40,000 of the general fund—state appropriation for fiscal year 2022 and $80,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5783 (underground economy). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(21) $30,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5823 (local infrastructure project area). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(22) $16,000 of the general fund—state appropriation for fiscal year 2022 and $33,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Senate Bill No. 5459 (credit card processing B&O). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(23) $123,000 of the general fund—state appropriation for fiscal year 2022 and $52,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5714 (solar canopy tax deferral). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(24) $97,000 of the general fund—state appropriation for fiscal year 2022 and $28,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5755 (vacant land redevelopment). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(25) $14,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5760 (motion picture competitiveness). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(26) $36,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Senate Bill No. 5800 (tax and revenue laws). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(27) $167,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5901 (counties economic development). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(28) $117,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (transportation resources). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(29) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5980 (small business tax relief). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(30) $70,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5309 (diapers sales and use tax exemption). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 138 (uncodified) is amended to read as follows:

**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2022) ((~~$2,631,000~~))

$2,620,000

General Fund—State Appropriation (FY 2023) ((~~$2,652,000~~))

$2,714,000

TOTAL APPROPRIATION ((~~$5,283,000~~))

$5,334,000

**Sec.**  2021 c 334 s 139 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2022) ((~~$1,975,000~~))

$1,993,000

General Fund—State Appropriation (FY 2023) ((~~$1,564,000~~))

$1,741,000

Minority and Women's Business Enterprises Account—

State Appropriation ((~~$4,607,000~~))

$4,844,000

TOTAL APPROPRIATION ((~~$8,146,000~~))

$8,578,000

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

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) $135,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Senate Bill No. 5032 (alternative public works contracting procedures). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $851,000 of the general fund—state appropriation for fiscal year 2022 and $675,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Substitute House Bill No. 1259 (women and minority contracting). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

**Sec.**  2021 c 334 s 140 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation ((~~$4,633,000~~))

$4,672,000

Insurance Commissioner's Regulatory Account—State

Appropriation ((~~$66,336,000~~))

$69,890,000

Insurance Commissioner's Fraud Account—State

Appropriation ((~~$3,603,000~~))

$3,654,000

TOTAL APPROPRIATION ((~~$74,572,000~~))

$78,216,000

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

(1) $234,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5315 (captive insurance). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(2) $64,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5313 (health ins. discrimination). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $24,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 5399 (universal health care commission). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(4) $3,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 5377 (standardized health plans). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(5) $649,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1196 (audio-only telemedicine). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(6) $83,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Substitute Senate Bill No. 5003 (living donor act). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(7)(a) $75,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for a service utilization, cost, and implementation analysis of requiring coverage for the hearing instruments benefit described in House Bill No. 1047 (hearing instruments/children) for children who are 18 years of age or younger and for children and adults.

(b) The commissioner must contract with one or more consultants to:

(i) Obtain projected utilization and cost data from Washington state health carriers for health plans, as defined in RCW 48.43.005, to provide an estimate of aggregate statewide utilization and cost impacts of the coverage described in House Bill No. 1047 (hearing instruments/children) separately for children who are 18 years of age or younger and for children and adults, expressed as total annual cost and as a per member per month cost;

(ii) Assess the impact of federal and state health care nondiscrimination laws on the scope of the benefit described in House Bill No. 1047 (hearing instruments/children); and

(iii) Provide recommendations for distributing state payments to defray the cost of the benefit coverage described in House Bill No. 1047 (hearing instruments/children) for health carriers.

(c) The commissioner must report the findings of the analysis to the appropriate committees of the legislature by December 15, 2021.

(8)(a) $200,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in consultation with the health care authority, to complete an analysis of the cost to implement a fertility treatment benefit as described in the department of health's December 2021 mandated benefit sunrise review.

(b) The commissioner must contract with one or more consultants to obtain utilization and cost data from Washington state health carriers, as defined in RCW 48.43.005, necessary to provide an estimate of the fiscal impact of providing a fertility treatment benefit for the commercial health plan market.

(c) The analysis must include, but is not limited to, a utilization and cost analysis of each of the following services:

(i) Infertility diagnosis;

(ii) Fertility medications;

(iii) Intrauterine insemination;

(iv) In vitro fertilization; and

(v) Egg freezing.

(d) The report should include projected costs expressed both as total annual costs and per member per month costs for plan years 2024 through 2027.

(e) The commissioner must report the findings of the analysis to the governor and appropriate committees of the legislature by June 30, 2023.

(9) $10,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Substitute Senate Bill No. 5546 (insulin affordability). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(10) $10,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Senate Bill No. 5508 (insurance guaranty fund). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(11) $7,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Substitute Senate Bill No. 5589 (primary care spending). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(12) $43,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Substitute Senate Bill No. 5610 (Rx drug cost sharing). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(13)(a) $200,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for a contract for an actuarial study to assess options for enhancing consumer protections, expanding access to coverage, and accompanying regulations regarding medicare supplemental insurance as defined in RCW 48.66.020. The study shall evaluate, but is not limited to, the following:

(i) For at least the most recent three years for which data is available, the total number of Washington state residents enrolled in medicare, broken down by those who are enrolled in:

(A) Traditional medicare fee-for-service only;

(B) Medicare supplemental insurance plans;

(C) Medicare advantage plans; and

(D) Medicaid and will turn age 65 during the public health emergency with respect to the coronavirus disease 2019 (COVID-19);

(ii) A demographic breakdown of the age, gender, racial, ethnic, and geographic characteristics of the individuals listed in (a)(i) of this subsection. For those younger than age 65, the breakdown should separate those eligible as a result of disability and end-stage renal disease status. The commissioner may include additional demographic factors;

(iii) The estimated impact on premiums, enrollment, and increased access for individuals listed in (a)(i)(A) and (B) of this subsection if the state were to have an annual open enrollment period during which medicare supplemental insurance was guaranteed issue, including separate estimates for expanding coverage to include those eligible for medicare and younger than age 65;

(iv) The estimated impact on premiums, enrollment, and increased access for individuals in (a)(i)(A) and (B) of this subsection if medicare supplemental insurance was guaranteed issue throughout the year, including separate estimates for expanding coverage to include those eligible for medicare and younger than age 65;

(v) The net cost impact to consumers and any other affected parties of the options outlined in (a)(iii) and (iv) of this subsection;

(vi) An analysis of other factors that impact access and premiums for medicare-eligible individuals; and

(vii) A review of medicare supplemental insurance policy protections in other states and their impact on premiums and enrollment in these policies.

(b) By November 15, 2022, the insurance commissioner shall submit a report to the appropriate committees of the legislature with the findings of the study.

(c) The contract recipient for the actuarial study must have:

(i) A comprehensive view of the medicare supplement industry and industry expertise developed from:

(A) Consulting for a diverse group of medicare supplement stakeholders; and

(B) Working directly for insurers issuing medicare supplemental plans; and

(ii) Access to data and expertise necessary to support the study and alternative projections.

(14) $48,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5794 (behavioral health Rx drugs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(15) $31,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5532 (Rx drug affordability board). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(16) $14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 5702 (donor human milk coverage). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(17) $250,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to contract for an assessment of federal and state laws and regulations to provide recommendations on creating a legal framework with which continuing care retirement community products under chapter 18.390 RCW may achieve heightened consumer protections through shared regulatory oversight by the office of the insurance commissioner. The commissioner must submit a report on the assessment and recommendations to the health care committees of the legislature by December 1, 2022.

(18)(a) $50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to coordinate with the utilities and transportation commission to jointly convene a utility liability insurance work group and report its findings to the governor and the appropriate committees of the legislature by June 1, 2023.

(b) The work group must include two members representing investor-owned utilities, two members representing consumer owned utilities, at least one from central or eastern Washington, and two representatives of the insurance industry.

(c) The work group shall:

(i) Review the availability and cost of liability insurance for electric utilities;

(ii) Identify obstacles to electric utility access to liability insurance, including market conditions as well as legal and regulatory requirements;

(iii) Evaluate financial risk to electric utilities, ratepayers, property owners, and other that exists as a result of the increased cost of insurance or in the event electric utilities are underinsured as a result of a lack of access to coverage; and

(iv) Make policy recommendations to improve access to liability insurance coverage for electric utilities.

(d) In conducting the tasks of the work group, utilities may not be required to provide commercially sensitive information, including insurance terms and costs.

(e) The commissioner may contract services to assist in the work group's efforts.

**Sec.**  2021 c 334 s 141 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account—State

Appropriation ((~~$65,134,000~~))

$69,625,000

TOTAL APPROPRIATION ((~~$65,134,000~~))

$69,625,000

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

(1) $4,464,000 of the state investment board expense account—state appropriation is provided solely for investment data software, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) During the 2021-2023 fiscal biennium, the Washington state investment board shall provide the law enforcement officers' and firefighters' plan 2 retirement board use of the investment board main conference room. The law enforcement officers' and firefighters' plan 2 retirement board must be allowed to use the board room for at least five hours on one day per month during regular business hours. Any additional direct costs incurred by the investment board due solely to the use of the conference room by the retirement board may be reimbursed by the law enforcement officers' and firefighters' plan 2 retirement board, consistent with any investment board policies on reimbursement for this facility applied to other major clients and investment partners.

**Sec.**  2021 c 334 s 142 (uncodified) is amended to read as follows:

**FOR THE LIQUOR AND CANNABIS BOARD**

General Fund—State Appropriation (FY 2022) ((~~$388,000~~))

$406,000

General Fund—State Appropriation (FY 2023) ((~~$417,000~~))

$1,781,000

General Fund—Federal Appropriation ((~~$3,013,000~~))

$3,089,000

General Fund—Private/Local Appropriation $75,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) ((~~$11,575,000~~))

$11,814,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$11,608,000~~))

$12,414,000

Liquor Revolving Account—State Appropriation ((~~$82,347,000~~))

$98,732,000

TOTAL APPROPRIATION ((~~$109,423,000~~))

$128,311,000

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

(1) The liquor and cannabis board may require electronic payment of the marijuana excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, ((~~$4,939,000 for fiscal year 2022 and $2,065,000 for fiscal year 2023 are~~)) $20,754,000 is provided solely for the modernization of regulatory systems and ((~~are~~)) is subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) $1,441,000 of the liquor revolving account—state appropriation is provided solely for the implementation of chapter 48, Laws of 2021 (E2SHB 1480) (liquor licensee privileges).

(4) $58,000 of the liquor revolving account—state appropriation is provided solely for the implementation of chapter 6, Laws of 2021 (ESSB 5272) (liquor & cannabis board fees).

(5) $38,000 of the dedicated marijuana account—state appropriation for fiscal year 2022 is provided solely to implement Engrossed Substitute House Bill No. 1443 (cannabis industry/equity). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this section shall lapse.~~))

(6) $11,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5004 (medical marijuana tax exemption). If the bill is not enacted by June 30, 2022, the amount provided in this section shall lapse.

(7) $278,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5547 (cannabinoid regulation). If the bill is not enacted by June 30, 2022, the amount provided in this section shall lapse.

(8) $27,000 of the liquor revolving account—state appropriation is provided solely for implementation of Senate Bill No. 5940 (cannabinoid regulation). If the bill is not enacted by June 30, 2022, the amount provided in this section shall lapse.

(9) $316,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5699 (standards for cannabis analysis). If the bill is not enacted by June 30, 2022, the amount provided in this section shall lapse.

(10) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the board to convene the prevention of robberies in cannabis businesses task force to identify strategies to reduce robberies of cannabis businesses.

(a) The task force must include:

(i) The director of the Washington association of police chiefs and sheriffs;

(ii) The director of enforcement and education of the Washington liquor and cannabis board;

(iii) One member representing the fraternal order of police;

(iv) One member representing the Washington state patrol;

(v) One member representing the attorney general;

(vi) Two members representing prosecutors;

(vii) Two members representing cities;

(viii) Two members representing counties;

(ix) Two members representing trade associations that represent licensed cannabis businesses; and

(x) One member representing entities that provide security services to cannabis businesses.

(b) The task force shall conduct a comprehensive review of the impact of robberies of cannabis businesses in Washington state and make recommendations related to, at a minimum, laws in other jurisdictions within the United States of America; methods of interagency coordination to reduce cannabis business robberies; strategies to assist local police departments and governments; and strategies that can be deployed to assist affected businesses.

(c) The director of the Washington association of police chiefs and sheriffs shall cochair the task force with one other member elected at the first meeting. The Washington association of police chiefs and sheriffs shall provide staff support for the task force and may contract to fulfill these requirements. The task force shall consult with the appropriate experts in the field as deemed necessary.

(d) Members of the task force shall be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

(e) The task force shall report its initial findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2022, and a final report must be submitted by June 30, 2023.

(11) $150,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the board to study the statewide limit of retail cannabis outlets and the practice of assigning retail licenses by city, to determine if the practice is sufficient to meet the consumption rate and population of the state as well as the legislature's social equity goals.

**Sec.**  2021 c 334 s 143 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$251,000~~))

$515,000

General Fund—State Appropriation (FY 2023) ((~~$199,000~~))

$835,000

General Fund—Private/Local Appropriation ((~~$16,591,000~~))

$16,887,000

Public Service Revolving Account—State Appropriation ((~~$42,430,000~~))

$43,983,000

Public Service Revolving Account—Federal

Appropriation ((~~$100,000~~))

$108,000

Pipeline Safety Account—State Appropriation ((~~$3,435,000~~))

$3,578,000

Pipeline Safety Account—Federal Appropriation ((~~$3,140,000~~))

$3,247,000

TOTAL APPROPRIATION ((~~$66,146,000~~))

$69,153,000

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

(1) Up to $800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) $137,000 of the public service revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5126 (climate commitment act). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $179,000 of the public service revolving account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5295 (gas & electric rates). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(4)(a) $251,000 of the general fund—state appropriation for fiscal year 2022 and $199,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to examine feasible and practical pathways for investor-owned electric and natural gas utilities to contribute their share to greenhouse gas emissions reductions as described in RCW 70A.45.020, and the impacts of energy decarbonization on residential and commercial customers and the electrical and natural gas utilities that serve them.

(b) The examination required in (a) of this subsection must identify and consider:

(i) How natural gas utilities can decarbonize;

(ii) The impacts of increased electrification on the ability of electric utilities to deliver services to current natural gas customers reliably and affordably;

(iii) The ability of electric utilities to procure and deliver electric power to reliably meet that load;

(iv) The impact on regional electric system resource adequacy, and the transmission and distribution infrastructure requirements for such a transition;

(v) The costs and benefits to residential and commercial customers, including environmental, health, and economic benefits;

(vi) Equity considerations and impacts to low-income customers and highly impacted communities; and

(vii) Potential regulatory policy changes to facilitate decarbonization of the services that gas companies provide while ensuring customer rates are fair, just, reasonable, and sufficient.

(c) The commission may require data and analysis from investor-owned natural gas and electric utilities, and consumer owned utilities may submit data to the commission to inform the investigation. The results of the examination must be reported to the appropriate legislative committees by June 1, 2023.

(5) $76,000 of the public service revolving account—state appropriation is provided solely to implement Engrossed Third Substitute House Bill No. 1091 (transportation fuel/carbon). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(6) $36,000 of the public service revolving account—state appropriation is provided solely for the implementation of Substitute House Bill No. 1114 (urban heat island mitigation). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(7) $358,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5678 (energy project orders). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(8) $23,000 of the general fund—state appropriation for fiscal year 2023 and $56,000 of the pipeline safety account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5910 (hydrogen). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(9) $8,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5803 (wildfire/electric utilities). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(10) $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for commission to coordinate with the office of the insurance commissioner to convene a utility liability insurance work group and report its finding to the governor and the appropriate committees of the legislature by June 1, 2023.

**Sec.**  2021 c 334 s 144 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2022) ((~~$10,500,000~~))

$10,015,000

General Fund—State Appropriation (FY 2023) ((~~$9,502,000~~))

$11,532,000

General Fund—Federal Appropriation ((~~$120,157,000~~))

$122,051,000

Enhanced 911 Account—State Appropriation ((~~$53,834,000~~))

$54,044,000

Disaster Response Account—State Appropriation ((~~$42,370,000~~))

$75,579,000

Disaster Response Account—Federal Appropriation ((~~$920,106,000~~))

$1,068,850,000

Military Department Rent and Lease Account—State

Appropriation ((~~$994,000~~))

$1,001,000

Military Department Active State Service Account—

State Appropriation $400,000

Oil Spill Prevention Account—State Appropriation $1,040,000

Worker and Community Right to Know Fund—State

Appropriation ((~~$1,832,000~~))

$1,923,000

TOTAL APPROPRIATION ((~~$1,160,735,000~~))

$1,346,435,000

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

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2021-2023 biennium based on current revenue and expenditure patterns.

(2) $40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) $11,000,000 of the enhanced 911 account—state appropriation is provided solely for financial assistance to counties.

(4) $784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

(5) $200,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staff.

(6) ((~~$1,000,000~~)) $300,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $700,000 of the disaster response account—state appropriation are provided solely for grants to assist eligible individuals and families with the purchase of household appliances, home repair, and home replacement including construction, building materials, site preparation, and permitting fees. The maximum grant to an eligible individual or household is $2,500. Grants will be awarded on a first-come, first-serve basis subject to availability of amounts provided in this subsection. For purposes of this subsection, "household appliance" means a machine that assists with household functions such as cooking, cleaning and food preservation. To be eligible, an individual or family must:

(a) Be a resident of Douglas, Okanogan, Pierce, or Whitman county;

(b) Have suffered damage to their home or was displaced from a rental unit used as their primary residence due to a wildfire occurring in fiscal year 2021;

(c) Not have or have inadequate private insurance to cover the cost of household appliance replacement;

(d) Not qualify for individual assistance through the federal emergency management agency; and

(e) Meet one of the following criteria:

(i) Is disabled;

(ii) Has a household income equal to or less than 80 percent of county median household income;

(iii) The home qualified for the property tax exemption program in RCW 84.36.379 through 84.36.389; or

(iv) The home qualified for the property tax deferral program in chapter 84.38 RCW.

(7) $2,136,000 of the general fund—federal appropriation (ARPA) is provided solely for the department to administer the emergency management performance grants according to federal laws and guidelines.

(8) $3,808,000 of the disaster response account—state appropriation and $46,039,000 of the disaster response account—federal appropriation are provided solely for agency costs for acquiring personal protective equipment as listed in LEAP omnibus document 2021-FEMA PPE, dated April 24, 2021. The department must coordinate with the agencies who have costs listed in LEAP omnibus document 2021-FEMA PPE, dated April 24, 2021, to ensure application to the federal emergency management agency for reimbursement.

(9)(a) $251,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$250,000~~)) $775,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the military department to facilitate a task force to conduct a comprehensive after-action review of the statewide pandemic response and recovery.

(b) The task force is composed of the following members:

(i) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(ii) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(iii) The secretary of the department of health, or the secretary's designee;

(iv) The adjutant general of the military department, or the adjutant general's designee;

(v) The commissioner of the employment security department, or the commissioner's designee;

(vi) The director of the department of financial institutions, or the director's designee;

(vii) The insurance commissioner, or the commissioner's designee;

(viii) The secretary of the department of social and health services, or the secretary's designee;

(ix) The superintendent of public instruction, or the superintendent's designee;

(x) The director of the department of labor and industries, or the director's designee;

(xi) The director of the department of commerce, or the director's designee;

(xii) The director of the department of enterprise services, or the director's designee;

(xiii) The secretary of the department of transportation, or the secretary's designee;

(xiv) The director of the department of licensing, or the director's designee;

(xv) The director of the office of financial management, or the director's designee;

(xvi) The director of the health care authority, or the director's designee;

(xvii) The executive director of the pharmacy quality assurance commission, or the executive director's designee;

(xviii) One member representing the Washington association of sheriffs and police chiefs;

(xix) One member representing the association of Washington businesses; and

(xx) Additional members to be appointed by the governor, as follows:

(A) One member representing the office of the governor;

(B) One member representing the association of Washington cities;

(C) One member representing the Washington state association of counties;

(D) One member representing emergency and transitional housing providers;

(E) One member representing a statewide association representing physicians;

(F) One member representing a statewide association representing nurses;

(G) One member representing a statewide association representing hospitals;

(H) One member representing community health centers;

(I) Two members representing local public health officials;

(J) Two members representing local emergency management agencies, one member located west of the crest of the Cascade mountains and one member located east of the crest of the Cascade mountains;

(K) At least one member representing federally recognized tribes;

(L) Up to 10 members representing demographic groups that have been disproportionately impacted by the COVID-19 pandemic, that include, but are not limited to, individuals of different race, class, gender, ethnicity, and immigration status;

(M) One member representing leisure and hospitality industries;

(N) One member representing education services; and

(O) One member representing manufacturing and trade industries.

(c) The adjutant general, or the adjutant general's designee, and the secretary of the department of health, or the secretary's designee, shall cochair the task force and convene its initial meeting.

(d)(i) The task force shall conduct the comprehensive after-action review of the COVID-19 pandemic response in accordance with established national standards for emergency or disaster after-action reviews. In order to improve the response to and recovery from future pandemics, the task force shall develop lessons learned and make recommendations that include, but are not limited to, the following:

(A) Aspects of the COVID-19 response that may inform future pandemic and all-hazards responses;

(B) Emergency responses that would benefit the business community and workers during a pandemic;

(C) Standards regarding flexible rent and repayment plans for residential and commercial tenants during a pandemic;

(D) Whether establishing regional emergency management agencies would benefit Washington state emergency response to future pandemics;

(E) Gaps and needs for volunteers to support medical professionals in performing their pandemic emergency response functions within Washington state;

(F) Gaps and needs for tools to measure the scale of an impact caused by a pandemic and tailoring the pandemic response to affected regions based on the scale of the impact in those regions;

(G) Gaps and needs in health care system capacity and case tracking, monitoring, control, isolation and quarantine, and deploying medical supplies and personnel; and

(H) Implementing guidelines for school closures during a pandemic.

(ii) The topics identified in (i) of this subsection (7)(d) are intended to be illustrative but not exhaustive. The task force should consider issues relating to equity, disparities, and discrimination in each topic it studies and for which it makes recommendations.

(e) The military department must provide staff support for the task force. The military department may employ staff and contracted support to fulfill the requirements of this subsection.

(f) The task force shall consult with owners of small businesses, epidemiologists, and representatives of immigrant communities.

(g) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members shall be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

(h) The task force shall report its initial findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2022. The task force shall report its final findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2023.

(10)(a) Within amounts appropriated in this act, the department must coordinate with the department of commerce in the administration of the grant program created in section 129(88) of this act.

(b) If the federal emergency management agency provides reimbursement for any portion of the costs incurred by a city or county that were paid for using state grant funding provided under section 129(88) of this act, the military department shall remit the reimbursed funds to the state general fund.

(c) The department must provide technical assistance for the public assistance program application process to applicants to the grant program created in section 129(88) of this act.

(11) $438,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

(12) $275,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide a grant to the Ruckelshaus center to compare traditional decision making systems with other decision making structures and provide recommendations for future emergency responses.

(13) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to contract for the development of a plan for a state-level disaster individual assistance program. The program should be modeled after successful programs in other states and be linked to complimentary programs at agencies such as the departments of commerce and social and health services, and the office of the governor. The fully developed program will detail the establishment, operations, and maintenance of a state-level disaster individual assistance program. A report detailing findings and recommendations for creating the program shall be delivered to the appropriate legislative committees by June 30, 2023.

(14) $15,000 of the enhanced 911 account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5555 (safety telecommunicators). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(15) $7,500,000 of the disaster response account—state appropriation is provided solely for the department to make grants to assist in the flood recovery efforts in Whatcom county.

(16) $4,853,000 of the disaster response account—state appropriation is provided solely for the department to use as matching funds for the federal emergency management agency building resilient infrastructure and communities (BRIC) grant program.

**Sec.**  2021 c 334 s 145 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$2,401,000~~))

$2,403,000

General Fund—State Appropriation (FY 2023) ((~~$2,371,000~~))

$2,452,000

Personnel Service Account—State Appropriation ((~~$4,382,000~~))

$4,457,000

Higher Education Personnel Services Account—State

Appropriation ((~~$1,407,000~~))

$1,430,000

TOTAL APPROPRIATION ((~~$10,561,000~~))

$10,742,000

The appropriations in this section are subject to the following conditions and limitations: $52,000 of the general fund—state appropriation for fiscal year 2022 and $5,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Substitute Senate Bill No. 5055 (law enforcement grievances). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

**Sec.**  2021 c 334 s 146 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State

Appropriation ((~~$4,438,000~~))

$4,483,000

TOTAL APPROPRIATION ((~~$4,438,000~~))

$4,483,000

**Sec.**  2021 c 334 s 147 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers'

Administrative Account—State Appropriation ((~~$4,960,000~~))

$4,977,000

TOTAL APPROPRIATION ((~~$4,960,000~~))

$4,977,000

The appropriation in this section is subject to the following conditions and limitations: $3,930,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

**Sec.**  2021 c 334 s 148 (uncodified) is amended to read as follows:

**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation $753,000

TOTAL APPROPRIATION $753,000

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

(1)(a) $250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amounts provided in this subsection, $30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) $210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

**Sec.**  2021 c 334 s 149 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2022) ((~~$5,976,000~~))

$7,019,000

General Fund—State Appropriation (FY 2023) ((~~$5,833,000~~))

$7,006,000

General Fund—Private/Local Appropriation $102,000

Building Code Council Account—State Appropriation ((~~$1,825,000~~))

$2,275,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $2,952,000

TOTAL APPROPRIATION ((~~$13,736,000~~))

$19,354,000

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

(1) ((~~$5,208,000~~)) $6,154,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$5,269,000~~)) $6,178,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the payment of facilities and services charges to include campus rent, ((~~utilities,~~)) parking, ((~~and~~)) security, contracts, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments $1,500,000 in fiscal year 2022 and $1,300,000 in fiscal year 2023.

(4) Within existing resources, beginning October 31, 2021, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) $162,000 of the general fund—state appropriation in fiscal year 2022 and $162,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to waive rent fees and charges through June 30, 2023, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state government buildings.

(6) Within existing resources, the state building code council, in collaboration with the LGBTQ commission, must develop a plan to incorporate into future Washington state building codes options for the design and construction of inclusive bathroom facilities that are consistent with a person's own gender expression or gender identity. Coordination must begin by September 1, 2021, and a preliminary report of the plan is due by September 1, 2022.

(7)(a) The department must work with the office of financial management to identify leases that will be up for renewal effective July 1, 2022, through June 30, 2024.

(b) The department must collaborate with the office of financial management on reduction in leased office space by agency for fiscal years 2024 and 2025.

(8)(a) The department must work collaboratively with at least each state agency that has fleet vehicles to discuss the agency need for the number of fleet vehicles each agency has as of July 1, 2021. The department must identify and report, at least:

(i) The count of fleet vehicles by agency by type, and the cost by fund source by fiscal year for fiscal year 2019, 2020, 2021, 2022, and 2023 for agency fleet vehicles;

(ii) The mileage data by agency by fleet vehicle for fiscal year 2019, 2020, and 2021, and the estimates for fiscal year 2022 and 2023; and

(iii) The business justification for the amount of fleet vehicles in fiscal year 2022 and 2023, by agency, given the change in business practice from in-person to remote work and video conferencing that began in 2020.

(b) The department must submit the report to fiscal and appropriate policy committees of the legislature by December 1, 2021.

(9)(a) The department must examine the motor pool fleet to determine the need for the number of vehicles. The department must identify, at least:

(i) The count of motor pool vehicles by type;

(ii) The cost recovery needed by fiscal year for fiscal year 2021, 2022, and 2023. This must include the anticipated recovery by fund source by fiscal year for fiscal year 2021, 2022, and 2023;

(iii) The mileage data by motor pool vehicle for fiscal year 2019, 2020, and 2021, and the estimates for 2022 and 2023; and

(iv) The business justification for the amount of motor vehicles in fiscal year 2022 and 2023, given the change in business practice from in-person to remote work and video conferencing.

(b) The department must report to fiscal and appropriate policy committees of the legislature by December 1, 2021.

(10) $69,000 of the building code council account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1184 (risk-based water quality standards). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(11) Within existing resources, the department must continue to prioritize the new diversity, equity, and inclusion training. This includes the department using the developed diversity, equity, and inclusion training curriculum that consists of at least five modules, and the department must start the trainings in fiscal year 2022 as outlined in their plan for training deployment.

(12) $167,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to prepare a state fleets zero emission vehicle implementation strategy, in collaboration with the state efficiency and environmental performance program, as outlined in executive order 21-04. The department must develop a state fleet vehicle charging plan and submit a draft plan to fiscal committees of the legislature by June 30, 2023.

(13) General fund—state appropriations for expenditure in the state vehicle parking account and the enterprise services account provided in part VII of this act are one-time only.

(14) $2,952,000 of the coronavirus state fiscal recovery fund—state appropriation is provided solely for zero emission electric vehicle supply equipment infrastructure at state-owned facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are scheduled to be purchased in fiscal year 2023. The department must report when and where the equipment was installed, usage data at each charging station, and the state agencies and state facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2023, for those installed in fiscal year 2023, and each fiscal year thereafter if further funding is provided. The department shall collaborate with the interagency electric vehicle coordinating council established in Engrossed Substitute Senate Bill No. 5974 (transportation resources) to implement this subsection and must work to meet benchmarks established in Engrossed Substitute Senate Bill No. 5974 (transportation resources).

**Sec.**  2021 c 334 s 150 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$2,736,000~~))

$2,717,000

General Fund—State Appropriation (FY 2023) ((~~$2,779,000~~))

$3,255,000

General Fund—Federal Appropriation ((~~$2,948,000~~))

$3,178,000

General Fund—Private/Local Appropriation $14,000

TOTAL APPROPRIATION ((~~$8,477,000~~))

$9,164,000

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

(1) $103,000 of the general fund—state appropriation for fiscal year 2022 and $103,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.

(2) $500,000 of the general fund—state appropriation for fiscal year 2022 and $550,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington main street program, including $150,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 provided solely for a pilot project grant program for affiliate main street programs. From the amount provided in this subsection, the department may provide grants of up to $40,000 to the affiliate main street programs for staffing costs, capacity building, and other costs associated with establishing a local nonprofit organization focused solely on downtown revitalization. The department must prioritize affiliate main street programs in locations with a population under 20,000.

(3) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a nonprofit to produce and share materials that explore the history of waterfront park and Seattle's central waterfront.

**Sec.**  2021 c 334 s 151 (uncodified) is amended to read as follows:

**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2022) $581,000

General Fund—State Appropriation (FY 2023) ((~~$531,000~~))

$631,000

Consolidated Technology Services Revolving Account—

State Appropriation ((~~$53,030,000~~))

$70,795,000

TOTAL APPROPRIATION ((~~$54,142,000~~))

$72,007,000

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

(1) ((~~$11,623,000~~)) $11,598,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of the chief information officer. Of this amount:

(a) $2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:

(i) Provide master level project management guidance to agency IT stakeholders;

(ii) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least ((~~quarterly~~)) twice annually and post these to the statewide IT dashboard; and

(iii) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.

(b) $2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.

(2) ((~~$12,393,000~~)) $12,168,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.

(3) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.

(4)(a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:

(i) The agency's priority ranking of each information technology request;

(ii) The estimated cost by fiscal year and by fund for the current biennium;

(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;

(iv) The estimated total cost for the current and ensuing biennium;

(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;

(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;

(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;

(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and

(ix) The expected fiscal year when the agency expects to complete the request.

(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

(5) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.

(6) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.

(7) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.

(8) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report and all those projects undertaken by the coalition are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. Beginning July 31, 2022, and by July 31st each year, the office of the chief information officer shall collect from the coalition information to produce summaries and budget detail sufficient to allow review, analysis, and documentation of all current and proposed expenditures for coalition information technology projects that are in progress or anticipated to start within this biennium. The office must also complete a services consultation with the coalition on any and all active coalition projects each August, effective August 1, 2022, regardless of whether any coalition agency will ask for new funding through the budget process, and include projects the coalition is working on with base funding or other funding arrangements. As a result of this consultation, the office of the chief information officer must add a prioritized recommendation of the projects reviewed and submit that to fiscal committees of the legislature each October 31st, effective October 31, 2022. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(9) ((~~$4,303,000~~)) $4,380,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

(10) ((~~$23,150,000~~)) $23,204,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature beginning December 31, 2021, and each December 31 thereafter, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

(11)(a) The statewide information technology dashboard elements must include, at a minimum, the:

(i) Start date of the project;

(ii) End date of the project, when the project will close out and implementation will commence;

(iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;

(iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;

(v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;

(vi) Start date of maintenance and operations;

(vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;

(viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;

(ix) Date a feasibility study was completed; and

(x) A list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

(b) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(c) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and under oversight to include, at a minimum, posting on the dashboard:

(i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;

(ii) The project historical expenditures through fiscal year 2021, by December 31, 2021, for all projects that started prior to July 1, 2021;

(iii) The project historical expenditures through fiscal year 2022, by December 31, 2022, for all projects that started prior to July 1, 2022; and

(iv) Whether each project has completed a feasibility study.

(12) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide ((~~Apptio~~)) data to the department of enterprise services annually beginning September 1, 2021, and each September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

(13) ((~~$129,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5062 (data). If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(14)~~)) $12,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the office of the chief information officer who must convene a work group to examine how automated decision making systems can best be reviewed before adoption and while in operation and be periodically audited to ensure that such systems are fair, transparent, accountable and do not improperly advantage or disadvantage Washington residents.

(a) The work group must be composed of:

(i) A representative of the department of children, youth, and families;

(ii) A representative of the department of corrections;

(iii) A representative of the department of social and health services;

(iv) A representative of the department of enterprise services;

(v) At least two representatives from universities or research institutions who are experts in the design and effect of an algorithmic system; and

(vi) At least five representatives from advocacy organizations that represent communities that are disproportionately vulnerable to being harmed by algorithmic bias, including but not limited to, African American, Hispanic American, Native American, and Asian American communities, religious minorities, people with disabilities, and other vulnerable communities.

(b) The purpose of the work group is to develop recommendations for changes in state law and policy regarding the development, procurement, and use of automated decision systems by public agencies. The work group must examine:

(i) When state agency use of automated decision making systems should be prohibited;

(ii) When state agency use of artificial intelligence-enabled profiling systems should be prohibited;

(iii) Changes in the procurement of automated decision systems, including when the procurement must receive prior approval by the office of chief information officer;

(iv) How to review, identify, and audit systems to ensure that the system prior to procurement and after placed into service does not discriminate against an individual, or treat an individual less favorably than another, in whole or in part, on the basis of one or more factors enumerated in RCW 49.60.010;

(v) How to provide public notice when an automated decision system is in use and how to appeal such decisions;

(vi) How automated decision system data should be stored and whether such data should be shared outside the system; and

(vii) Other issues determined by the office of chief information officer or the department of enterprise services that are necessary to govern state agency procurement and use of automated decision systems.

(c) To demonstrate the impacts of its recommendations, the work group must select one of following automated decision making systems and describe how their implementation would affect the procurement of a new system and the use the existing system:

(i) The department of children, youth, and families system used to determine risk in the family child welfare system;

(ii) The department of corrections system used to determine risk for purposes of evaluating early release and/or sentencing; or

(iii) The department of social and health services system used for hospital admissions.

(d) The work group shall meet at least four times, or more frequently to accomplish its work. The office of the chief information officer must lead the work group. Each of the state agencies identified in (a) of this subsection must provide staff support to the work group and its activities.

(e) The work group must submit a report to the fiscal committees of the legislature and the governor no later than December 1, 2021.

(f) For purposes of this subsection, "automated decision system" or "system" means any algorithm, including one incorporating machine learning or other artificial intelligence techniques, that uses data-based analysis or calculations to make or support government decisions, judgments, or conclusions that cause a Washington resident to be treated differently than another Washington resident in the nature or amount of governmental interaction with that individual including, without limitation, benefits, protections, required payments, penalties, regulations, timing, application, or process requirements.

((~~(15)~~)) (14) $81,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1274 (cloud computing solutions). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(16)~~)) (15)(a) $381,000 of the general fund—state appropriation for fiscal year 2022 and $343,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the chief information officer to provide a common platform for hosting existing state data on natural hazards risks into a comprehensive, multihazard, statewide, geospatial data portal to assist with state hazard risk and resilience mapping and analysis. In performing this work, the office of the chief information officer will:

(i) Coordinate with the state emergency management division, office of the insurance commissioner, University of Washington climate impacts group and Washington sea grant, Washington State University water research center, and the state departments of ecology, health, natural resources, and transportation on the project scope, user needs, and deliverables;

(ii) Organize data in standardized and compatible formats including temporal data, where able; and

(iii) Address credentialing for secure access to protect sensitive data needed for risk analyses.

(b) By December 1, 2022, in consultation with the governor's office and the other agencies listed above, the office of the chief information officer will provide a progress report to the relevant legislative committees on the development of the platform and data sharing agreements.

(c) By June 1, 2023, in consultation with the governor's office and the other agencies listed above, the office of the chief information officer will provide a final report with recommendations for further enhancing natural hazards resiliency by using data to inform the development of a statewide resilience strategy.

(d) This subsection is subject to the conditions, limitations, and review of section 701 of this act.

((~~(17)~~)) (16) $1,493,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5432 (cybersecurity/state gov.). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(17) $4,333,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

(18) $2,375,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) Establishing a cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) Establishing the cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

(19) $580,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(20) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of the chief information officer, who must:

(a) Prepare with the cooperation of state agencies and make publicly available on its website, by January 1, 2023, an initial inventory of all automated decision systems that are currently being used by state agencies; and

(b) Adopt guidance, by June 30, 2022, for state agencies regarding minimum standards that should be used for automated decision systems the agency plans to develop or procure during the 2023 fiscal year.

**Sec.**  2021 c 334 s 152 (uncodified) is amended to read as follows:

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation ((~~$4,190,000~~))

$4,225,000

TOTAL APPROPRIATION ((~~$4,190,000~~))

$4,225,000

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation (FY 2023) $637,000

TOTAL APPROPRIATION $637,000

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

(1) $327,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of Senate Bill No. 5750 (WA state leadership board). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(2) $450,000 of the Washington state leadership board account—state appropriation for fiscal year 2023 is provided solely for implementing programming in RCW 43.15.030, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards. If Senate Bill No. 5750 (WA state leadership board) is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**PART II**

**HUMAN SERVICES**

**Sec.**  2021 c 334 s 201 (uncodified) is amended to read as follows:

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

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

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

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize((~~s~~)) federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2022, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2022 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2022 in response to the COVID-19 pandemic or caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program or subprograms of the department of social and health services.

**Sec.**  2021 c 334 s 202 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

(1) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2022) ((~~$435,890,000~~))

$394,084,000

General Fund—State Appropriation (FY 2023) ((~~$436,264,000~~))

$480,513,000

General Fund—Federal Appropriation ((~~$142,531,000~~))

$150,357,000

General Fund—Private/Local Appropriation ((~~$21,540,000~~))

$15,528,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $8,853,000

TOTAL APPROPRIATION ((~~$1,036,225,000~~))

$1,049,335,000

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

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

(b) $311,000 of the general fund—state appropriation for fiscal year 2022 and $310,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (1)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood. The department must collect data from the city of Lakewood on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(c) $45,000 of the general fund—state appropriation for fiscal year 2022 and $45,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) $19,000 of the general fund—state appropriation for fiscal year 2022 and $19,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(e) $135,000 of the general fund—state appropriation for fiscal year 2022 and $135,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to maintain an on-site safety compliance officer, stationed at Western State Hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(f) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to track compliance with RCW 71.05.365 requirements for transition of state hospital patients into community settings within fourteen days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these funds to track the following elements related to this requirement: (i) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (ii) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (iii) the date on which either the individual is transitioned to the community or has been re-evaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the fourteen day standard by December 1, 2021, and December 1, 2022.

(g) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(i) By the first day of each December during the biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature which summarizes how the predictive modeling tool has been implemented and includes the following: (A) The numbers of individuals identified by the tool as having a high risk of future criminal justice involvement; (B) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (C) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (D) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(ii) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(h) $5,049,000 of the general fund—state appropriation for fiscal year 2022 and $5,075,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(i) $7,147,000 of the general fund—state appropriation for fiscal year 2022 and $7,147,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(j) $71,690,000 of the general fund—state appropriation for fiscal year 2022, $77,825,000 of the general fund—state appropriation for fiscal year 2023, and $2,541,000 of the general fund—federal appropriation are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2021-2023 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(k) $76,029,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$59,784,000~~)) $65,875,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(i) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(ii) By December 1, 2021, and December 1, 2022, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(iii) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(l) ((~~$10,581,000~~)) $4,681,000 of the general fund—state appropriation for fiscal year 2022 and $10,581,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement strategies to improve patient and staff safety at eastern and western state hospitals. These amounts must be used for continuing to implement a new intensive care model program at western state hospital and maintaining prior investments in training and other safety-related staff support at both hospitals. A report must be submitted by December 1, 2021, and December 1, 2022, which includes a description of the ((~~intensive care model being implemented~~)) violence reduction or safety strategy, a profile of the types of patients being served ((~~at the program~~)), the staffing model being used ((~~for the program~~)), and outcomes associated with ((~~the program~~)) each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served ((~~on the unit~~)).

(m) $2,593,000 of the general fund—state appropriation for fiscal year 2022 and $2,593,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v.* ((*~~Laswhay~~*)) *Lashway* settlement agreement.

(n) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal and quality of care measure broken out by hospital and including but not limited to (i) monthly FTE expenditures compared to allotments; (ii) monthly dollar expenditures compared to allotments; (iii) monthly FTE expenditures per thousand patient bed days; (iv) monthly dollar expenditures per thousand patient bed days; (v) percentage of FTE expenditures for overtime; (vi) average length of stay by category of patient; (vii) average monthly civil wait list; (viii) average monthly forensic wait list; (ix) rate of staff assaults per thousand patient bed days; (x) rate of patient assaults per thousand patient bed days; (xi) average number of days to release after a patient has been determined to be clinically ready for discharge; and (xii) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(o) ((~~$3,846,000~~)) $3,773,000 of the general fund—state appropriation for fiscal year 2022, ((~~$3,846,000~~)) $4,099,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$7,692,000~~)) $4,772,000 of the general fund—federal appropriation are provided solely to open a new unit at the child study treatment center which shall serve up to 18 children.

(p) ((~~$2,941,000~~)) $159,000 of the general fund—state appropriation for fiscal year 2023 ((~~and $2,941,000 of the general fund—federal appropriation are~~)) is provided solely for the department to operate a 16 bed facility located in Clark county to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The department must develop and implement a protocol to assess the risk of patients being considered for placement in this facility and determine whether the level of security and treatment services is appropriate to meet the patient's needs. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2022, providing a description of the protocol and a status update on progress toward opening the new facility.

(q) $1,382,000 of the general fund—state appropriation for fiscal year 2022, $5,092,000 of the general fund—state appropriation for fiscal year 2023, and $5,092,000 of the general fund—federal appropriation is provided solely for the department to operate a 16 bed facility on the Maple Lane campus to provide long-term inpatient care beds as defined in RCW 71.24.025. The facility must have the capacity to provide treatment services to individuals committed under chapter 71.05 RCW including individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The department must develop and implement a protocol to assess the risk of patients being considered for placement in this facility and determine whether the level of security and treatment services is appropriate to meet the patient's needs. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2021, providing a description of the protocol and a status update on progress toward opening the new facility.

(r) $4,316,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to operate the Columbia cottage at Maple Lane as a 30 bed facility to serve individuals who have been acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120. The department must develop and implement a protocol to assess the risk of patients being considered for placement in this facility and determine whether the level of security and treatment services is appropriate to meet the patient's needs. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2022, providing a description of the protocol and a status update on progress toward the opening of Columbia cottage.

(s) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(i) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2022 and fiscal year 2023.

(ii) Funding for civil beds at western state hospital is reduced during this period to allow for a phased reduction of six wards from 467 to 287 civil beds.

(iii) The closure of western state hospital civil wards shall be implemented according to the following schedule: (A) First ward closure by July 1, 2021; (B) second ward closure by November 1, 2021; (C) third ward closure by March 1, 2022; (D) fourth ward closure by July 1, 2022; (E) fifth ward closure by November 1, 2022; and (F) sixth ward closure by April 1, 2023.

(iv) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(v) The department shall coordinate with the health care authority toward development of the plan for increasing community capacity for long-term inpatient services required under section 215(67) of this act.

(vi) It is the intent of the legislature to close additional civil wards at western state hospital during the 2023-2025 fiscal biennium.

(vii) It is the intent of the legislature to stop using western state hospital buildings 17, 19, 20, and 21, which were built before the 1950s, for patient care by fiscal year 2027.

(t) $360,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to implement Engrossed Second Substitute House Bill No. 1086 (behavioral health consumers). The amount in this subsection is provided solely for the department's costs associated with providing access to and following up on referrals from behavioral health consumer advocates in state operated mental health facilities. The department must track the number of monthly cases in which access to behavioral health consumer advocates was provided for patients in state operated mental health facilities and the number of these which resulted in subsequent follow-up investigation by the department. The department must submit a preliminary report to the office of financial management and the appropriate committees of the legislature on the number of monthly cases and follow-up investigations by December 1, 2022, and a final report by June 30, 2023. ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(u) $1,190,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute Senate Bill No. 5664 (forensic competency programs). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(v) $62,000 of the general fund—state appropriation for fiscal year 2022, $2,648,000 of the general fund—state appropriation for fiscal year 2023, and $373,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5807 (state hospitals). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(2) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2022) ((~~$5,936,000~~))

$5,885,000

General Fund—State Appropriation (FY 2023) ((~~$5,929,000~~))

$6,107,000

General Fund—Federal Appropriation ((~~$366,000~~))

$412,000

TOTAL APPROPRIATION ((~~$12,231,000~~))

$12,404,000

**Sec.**  2021 c 334 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2022) ((~~$747,646,000~~))

$704,097,000

General Fund—State Appropriation (FY 2023) ((~~$948,278,000~~))

$1,036,861,000

General Fund—Federal Appropriation ((~~$2,086,801,000~~))

$2,224,728,000

General Fund—Private/Local Appropriation $4,058,000

Developmental Disabilities Community Services

Account—State Appropriation $52,000,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $984,000

TOTAL APPROPRIATION ((~~$3,838,783,000~~))

$4,022,728,000

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

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

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is $225 per bed beginning in fiscal year 2022 and $225 per bed beginning in fiscal year 2023. A processing fee of $2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of $700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is $116 per bed beginning in fiscal year 2022 and $116 per bed beginning in fiscal year 2023.

(iii) The current annual renewal license fee for nursing facilities is $359 per bed beginning in fiscal year 2022 and $359 per bed beginning in fiscal year 2023.

(c)(i) $2,648,000 of the general fund—state appropriation for fiscal year 2022, $8,946,000 of the general fund—state appropriation for fiscal year 2023, and $16,665,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2021-2023 fiscal biennium, as provided in section 946 of this act.

(ii) $8,764,000 of the general fund—state appropriation for fiscal year 2023 and $11,156,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for fiscal year 2023, as provided in section 935 of this act.

(d)(i) $291,000 of the general fund—state appropriation for fiscal year 2022, $992,000 of the general fund—state appropriation for fiscal year 2023, and $1,844,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(ii) $953,000 of the general fund—state appropriation for fiscal year 2023 and $1,214,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(e)(i) $540,000 of the general fund—state appropriation for fiscal year 2022, $860,000 of the general fund—state appropriation for fiscal year 2023, and $1,881,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium, as provided in section 948 of this act.

(ii) $1,389,000 of the general fund—state appropriation for fiscal year 2023 and $1,278,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for fiscal year 2023, as provided in section 937 of this act.

(f) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(g) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(h) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (h)(i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (h)(i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(i) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(j) $4,000 of the general fund—state appropriation for fiscal year 2022, ((~~$17,000~~)) $37,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$23,000~~)) $42,000 of the general fund—federal appropriation are provided solely for a cost of living adjustment to the personal needs allowance pursuant to RCW 74.09.340.

(k) The department will work with the health care authority and Washington state's managed care organizations to establish recommendations for clients who live in the community to access the developmental disabilities administration's facility-based professionals to receive care covered under the state plan. If feasible, these recommendations should detail how to enable facility-based professionals to deliver services at mobile or brick-and-mortar clinical settings in the community. The department must submit its recommendations to the appropriate legislative committees no later than December 1, ((~~2021~~)) 2022.

(l) The department of social and health services must claim the enhanced federal medical assistance participation rate for home and community-based services offered under section 9817 of the American rescue plan act of 2021 (ARPA). Appropriations made that constitute supplementation of home and community-based services as defined in section 9817 of ARPA are listed in LEAP omnibus document HCBS-2021.

(m) $300,000 of the general fund—state appropriation for fiscal year 2023 and $226,000 of the general fund—federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 1086 (behavioral health consumers). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(n) $408,000 of the general fund—state appropriation for fiscal year 2022, $416,000 of the general fund—state appropriation for fiscal year 2023, and $474,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1061 (child welfare/developmental disability). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(o) $3,474,000 of the general fund—state appropriation for fiscal year 2022, $11,423,000 of the general fund—state appropriation for fiscal year 2023, and $15,262,000 of the general fund—federal appropriation are provided solely to increase rates for community residential service providers offering supported living, group home, group training home, and licensed staff residential services to individuals with developmental disabilities. The amounts provided in this subsection (o) include funding to increase the provider rate by 2.0 percent effective January 1, 2022, and by an additional 2.0 percent effective January 1, 2023. Both 2.0 percent rate increases must be used to support providers' ability to maintain direct care staff wages above the statewide minimum wage.

(p) The annual certification renewal fee for community residential service businesses is $859 per client in fiscal year 2022 and $859 per client in fiscal year 2023. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(q) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of $485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(r) $39,000 of the general fund—state appropriation for fiscal year 2022, $49,000 of the general fund—state appropriation for fiscal year 2023, and $131,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by five cents per hour effective July 1, 2021.

(s) $1,705,000 of the general fund—state appropriation for fiscal year 2022, $1,688,000 of the general fund—state appropriation for fiscal year 2023, and $1,465,000 of the general fund—federal appropriation are provided solely for the development and implementation of 13 enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(t) $2,025,000 of the general fund—state appropriation for fiscal year 2022 and $2,006,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the development and implementation of 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(u) ((~~$18,733,000~~)) $43,535,000 of the general fund—state appropriation for fiscal year 2022, $12,458,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$46,342,000~~)) $110,501,000 of the general fund—federal appropriation are provided solely to continue providing rate add-ons for contracted service providers to address the increased costs associated with serving clients during the COVID-19 pandemic ((~~through the end of calendar year 2021~~)).

(v) $78,000 of the general fund—state appropriation for fiscal year 2022, $75,000 of the general fund—state appropriation for fiscal year 2023, and $113,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5284 (subminimum wage/disabilities). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(w) Funding in this section is sufficient to implement chapter 352, laws of 2020 (developmental disabilities budgeting), including a review of the no-paid services caseload and to update the information to accurately reflect a current headcount of eligible persons and the number of persons contacted who are currently interested in receiving a paid service. It is the intent of the legislature that the department will, as required in chapter 252, laws of 2020 (developmental disabilities budgeting), submit a report of this information to the governor and the appropriate committees of the legislature by December 1, 2021. It is also the intent of the legislature that the necessary paid services identified with completion of this report will be adequately funded by the conclusion of fiscal year 2024.

(x) $1,387,000 of the general fund—state appropriation for fiscal year 2022, $2,641,000 of the general fund—state appropriation for fiscal year 2023, and $4,250,000 of the general fund—federal appropriation are provided solely to increase the capacity of the children's intensive in-home behavioral supports waiver by 100 slots.

(y) $19,648,000 of the general fund—state appropriation for fiscal year 2023 and $25,006,000 of the general fund—federal appropriation are provided solely for the purposes of settling all claims in the two related cases *Liang et al v. Washington DSHS et al*, Thurston county superior court case no. 20-2-02506-34 and *SEIU 775 v. Washington DSHS et al*, Thurston county superior court case no. 18-2-05584-34, Washington supreme court case no. 99658-8. The expenditure of these amounts is contingent upon the release of all claims in both cited cases, and total settlement costs shall not exceed the amounts provided in this subsection and section 204(45) of this act. If the settlement agreement is not fully executed and approved by the Thurston county superior court by June 30, 2023, the amounts provided in this subsection shall lapse.

(z) $205,000 of the general fund—state appropriation for fiscal year 2022, $232,000 of the general fund—state appropriation for fiscal year 2023, and $590,000 of the general fund—federal appropriation are provided solely for the department of social and health services to examine the capabilities of the community residential settings and services; to improve cross-system coordination; and to begin the process of redesigning state-operated intermediate care facilities to function as short-term crisis stabilization and intervention. Of the amounts provided in this subsection (1)((~~(y)~~)) (z):

(i) $159,000 of the general fund—state appropriation for fiscal year 2022, $186,000 of the general fund—state appropriation for fiscal year 2023, and $310,000 of the general fund—federal appropriation are provided solely for the department of social and health services to:

(A) Beginning with the governor's budget proposal submitted in December 2022, submit a budget request for expenditures associated with anticipated demand for services under the individual and family services waiver, the basic plus waiver, and the number of individuals who are expected to reside in state-operated living alternatives for consideration by the governor and the legislature for inclusion in maintenance level budgets;

(B) Examine the need for community respite beds to serve eligible individuals and stabilization, assessment, and intervention beds to provide crisis stabilization services for individuals with complex behavioral needs. A preliminary report must be submitted no later than October 1, 2022, with a final report submitted no later than October 1, 2023, to the governor and the appropriate committees of the legislature that estimates the number of beds needed in fiscal years 2023 through 2025, recommends geographic locations of these beds, provides options for contracting with community providers for these beds, provides options for utilizing existing intermediate care facilities to meet these needs, and recommends whether or not an increase to respite hours is needed;

(C) Contract with a private vendor for a study of medicaid rates for contracted community residential service providers. The study must be submitted to the governor and the appropriate committees of the legislature no later than December 1, 2023, and must include:

(I) A recommendation of rates needed for facilities to cover their costs and adequately recruit, train, and retain direct care professionals;

(II) Recommendations for an enhanced rate structure, including when and for whom this rate structure would be appropriate; and

(III) An assessment of options for an alternative, opt-in rate structure for contracted supported living providers who voluntarily serve individuals with complex behaviors, complete additional training, and submit to additional monitoring;

(D) Submit by October 1, 2022, a five-year plan to phase-in the appropriate level of funding and staffing to achieve case management ratios of one case manager to no more than 35 clients. The five-year plan must include:

(I) An analysis of current procedures to hire and train new staff within the developmental disabilities administration of the department of social and health services;

(II) Identification of any necessary changes to these procedures to ensure a more efficient and timely process for hiring and training staff; and

(III) Identification of the number of new hires needed on an annual basis to achieve the phased implementation included in the five-year plan;

(E) Collaborate with appropriate stakeholders to develop uniform quality assurance metrics that are applied across community residential settings, intermediate care facilities, and state-operated nursing facilities and submit a report of these activities to the governor and the legislature no later than June 30, 2023;

(F) Collaborate with the developmental disabilities council to improve cross-system coordination and submit a report of the activities and any recommendations for policy or fiscal changes to the governor and the legislature no later than October 1, 2022, for consideration in the 2023 legislative session that describes collaborating with the developmental disabilities council to:

(I) Coordinate collaboration efforts among relevant stakeholders to develop and disseminate best practices related to serving individuals with cooccurring intellectual and developmental disabilities and mental health conditions;

(II) Work with Washington state's apprenticeship and training council, colleges, and universities to establish medical, dental, nursing, and direct care apprenticeship programs that would address gaps in provider training and overall competence;

(III) Devise options for consideration by the governor and the legislature to prioritize funding for housing for individuals with intellectual and developmental disabilities when a lack of affordable housing is the barrier preventing an individual from moving to a least restrictive community setting; and

(IV) Coordinate collaboration efforts among relevant stakeholders to examine existing law with regard to guardianship and protective proceedings and make any necessary recommendations for changes to existing law to ensure that guardianship or other protective proceedings are designed to provide individuals with intellectual and developmental disabilities with the decision making support they require to live as independently as possible in the least restrictive environment, including consideration of mechanisms that enable regular payment for services rendered by these legal representatives when appropriate; and

(G) Develop procedures that ensure that placement in an intermediate care facility is temporary and submit a report of these efforts, including any necessary recommendations for policy or fiscal changes, to the governor and the legislature for consideration in the 2022 legislative session no later than November 1, 2021, that describes the development of procedures that ensure that:

(I) Clear, written, and verbal information is provided to the individual and their family member that explains that placement in the intermediate care facility is temporary and what constitutes continuous aggressive active treatment and its eligibility implications;

(II) Discharge planning begins immediately upon placement of an individual within the intermediate care facility and that the individual and their family member is provided clear descriptions of all placement options and their requirements;

(III) When crisis stabilization services are available in the community, the individual is presented with the option to receive services in the community prior to placement in an intermediate care facility; and

(IV) When the individual has not achieved crisis stabilization after 60 days of initial placement in the intermediate care facility, the department of social and health services must convene the individual's team of care providers including, but not limited to, the individual's case manager, the individual's community-based providers, and, if applicable, the individual's managed care organization to review and make any necessary changes to the individual's crisis stabilization care plan.

(ii) $46,000 of the general fund—state appropriation in fiscal year 2022, $46,000 of the general fund—state appropriation in fiscal year 2023, and $280,000 of the general fund—federal appropriation are provided solely to establish peer mentors to connect each client in an intermediate care facility with a mentor to assist in their transition planning. No later than November 1, 2021, the department of social and health services must submit a report describing these efforts and make any necessary recommendations for policy or fiscal changes to the governor and the legislature for consideration in the 2022 legislative session.

((~~(z)~~)) (aa) Appropriations provided in this section are sufficient to implement Substitute Senate Bill No. 5258 (consumer directed employers).

((~~(aa)~~)) (bb) $63,000 of the general fund—state appropriation for fiscal year 2022, $13,000 of the general fund—state appropriation for fiscal year 2023, and $77,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 1411 (health care workforce). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(cc) $123,000 of the general fund—state appropriation for fiscal year 2023 and $156,000 of the general fund—federal appropriation are provided solely for wages and benefits of home care agency workers who provide direct care.

(dd) $80,000 of the general fund—state appropriation for fiscal year 2023 and $61,000 of the general fund—federal appropriation are provided solely for the department to hire one full-time employee to provide advice, evaluations, and recommendations on technological tools to clients, providers, and case managers.

(ee)(i) $2,172,000 of the general fund—state appropriation for fiscal year 2023 and $1,666,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. No later than December 1, 2022, the department of social and health services shall submit a preliminary report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including but not limited to:

(A) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(B) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(C) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(D) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(ii) It is the intent of the legislature that the department of social and health services submit annual reports of this information beginning in fiscal year 2024.

(ff)(i) $204,000 of the general fund—state appropriation for fiscal year 2022, $1,511,000 of the general fund—state appropriation for fiscal year 2023, and $988,000 of the general fund—federal appropriation are provided solely for service rate increases paid to contracted providers of community engagement, supported parenting, and respite services. Prior to the provider receiving the rate increase, the department of social and health services shall revise any existing contract and implement in any new contract a requirement that providers agree to use the funds solely for allowable costs associated with service delivery. The contract language must also provide that if funding is used for unallowable costs, the provider will immediately refund that portion of the funding that is unallowed.

(ii) No later than December 1, 2022, the department of social and health services shall submit a preliminary report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including a detailed accounting of utilization of services and any changes in the utilization as a result of this funding. The department shall submit a final report of this information no later than June 30, 2023.

(gg) $1,413,000 of the general fund—state appropriation for fiscal year 2023 and $1,084,000 of the general fund—federal appropriation are provided solely to hire additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2022, the department of social and health services shall submit a preliminary report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed. A final report of this information must be submitted no later than June 30, 2023.

(hh) $228,000 of the general fund—state appropriation for fiscal year 2023 and $284,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 68 percent of full methodology funding, effective July 1, 2022.

(ii) $1,046,000 of the general fund—state appropriation for fiscal year 2023 and $722,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5268 (dev. disability services). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(jj) $91,000 of the general fund—state appropriation for fiscal year 2023 and $71,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5620 (medicaid expenditures). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(kk) $2,581,000 of the general fund—state appropriation for fiscal year 2023 and $2,060,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5819 (DDA no-paid caseload). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(ll) $4,188,000 of the general fund—state appropriation for fiscal year 2023 and $4,106,000 of the general fund—federal appropriation are provided solely to increase contracted rates for supported employment and community inclusion providers. The temporary contracted rate in effect through June 30, 2022, shall become the new contracted rate beginning July 1, 2022. The department shall conduct a comprehensive study of the current rate structure paid to supported employment and community inclusion providers. No later than October 1, 2022, the department must submit to the governor and the appropriate committees of the legislature a report of this study that includes, but is not limited to, the following:

(i) An overview of the current system and how it operates, including an overview of the current rate structure;

(ii) A description of the organizational components and costs associated with the delivery of supported employment and community inclusion services that achieve client outcomes;

(iii) A recommendation of the rates needed for providers to cover their costs and maintain the infrastructure required to achieve and support client outcomes; and

(iv) A recommendation for a methodology to utilize in the future for regularly analyzing costs associated with service delivery and the rate adjustments, and associated frequency of these adjustments, needed to ensure that services achieve client outcomes.

(mm) $40,196,000 of the general fund—state appropriation for fiscal year 2023 and $40,196,000 of the general fund—federal appropriation are provided solely to increase base rates for community residential providers. The temporary rate add-ons in effect through June 30, 2022, shall be added to the base rate in effect through June 30, 2022, to become the new base rate effective July 1, 2022.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2022) ((~~$115,635,000~~))

$110,570,000

General Fund—State Appropriation (FY 2023) ((~~$125,463,000~~))

$135,838,000

General Fund—Federal Appropriation ((~~$241,480,000~~))

$253,126,000

General Fund—Private/Local Appropriation $27,043,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $1,454,000

TOTAL APPROPRIATION ((~~$509,621,000~~))

$528,031,000

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

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

(b) $495,000 of the general fund—state appropriation for fiscal year 2022 and $495,000 of the general fund—state appropriation for fiscal year 2023 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(d) $3,000 of the general fund—state appropriation for fiscal year 2022 and $10,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a cost of living increase adjustment to the personal needs allowance pursuant to RCW 74.09.340.

(e) The department is directed to develop a plan to reduce the footprint of the Rainier residential habilitation center campus and other property facilities taking into consideration recommendations of the Ruckleshaus residential habilitation center work group report and the department's Rainier school master plan.

(i) The plan must include the following:

(A) Input from interested stakeholders to ensure a thoughtful, safe, and well-supported residential transition to the community;

(B) An outline for maintaining a state-operated safety net for individuals who transition to the community and who may later be in crisis or who need a greater level of care;

(C) Barriers to successful community transitions and how to mitigate those;

(D) A report of stakeholder feedback received and how it was incorporated or not into the plan; and

(E) A proposed timeline to implement the plan and a target date for reducing the footprint of Rainier if the plan is followed.

(ii) The stakeholders must include, at minimum: Individuals who reside or have resided at Rainier within the last two decades, families and guardians of individuals who reside or have resided at Rainier, the city of Buckley, and current or former staff at Rainier and their respective labor organizations.

(iii) The department must confer with and have approval from the governor's office prior to submission of the plan. A final plan shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2023.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2022) ((~~$2,639,000~~))

$2,717,000

General Fund—State Appropriation (FY 2023) ((~~$2,688,000~~))

$2,958,000

General Fund—Federal Appropriation ((~~$3,192,000~~))

$3,239,000

TOTAL APPROPRIATION ((~~$8,519,000~~))

$8,914,000

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2022) $61,000

General Fund—State Appropriation (FY 2023) ((~~$61,000~~))

$66,000

General Fund—Federal Appropriation ((~~$1,090,000~~))

$1,092,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $66,000

TOTAL APPROPRIATION ((~~$1,212,000~~))

$1,285,000

**Sec.**  2021 c 334 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$1,422,098,000~~))

$1,347,193,000

General Fund—State Appropriation (FY 2023) ((~~$1,783,367,000~~))

$1,978,768,000

General Fund—Federal Appropriation ((~~$4,517,927,000~~))

$4,829,079,000

General Fund—Private/Local Appropriation $37,804,000

Traumatic Brain Injury Account—State Appropriation ((~~$4,544,000~~))

$5,586,000

Skilled Nursing Facility Safety Net Trust Account—

State Appropriation $133,360,000

Long-Term Services and Supports Trust Account—State

Appropriation ((~~$10,873,000~~))

$13,233,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $3,606,000

TOTAL APPROPRIATION ((~~$7,909,973,000~~))

$8,348,629,000

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

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed $259.84 for fiscal year 2022 and may not exceed $279.84 for fiscal year 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is $225 per bed beginning in fiscal year 2022 and $225 per bed beginning in fiscal year 2023. A processing fee of $2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of $700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is $116 per bed beginning in fiscal year 2022 and $116 per bed beginning in fiscal year 2023.

(c) The current annual renewal license fee for nursing facilities is $359 per bed beginning in fiscal year 2022 and $359 per bed beginning in fiscal year 2023.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4)(i) $6,113,000 of the general fund—state appropriation for fiscal year 2022, $19,799,000 of the general fund—state appropriation for fiscal year 2023, and $37,161,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2021-2023 fiscal biennium, as provided in section 946 of this act.

(ii) $18,787,000 of the general fund—state appropriation for fiscal year 2023 and $23,910,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for fiscal year 2023, as provided in section 935 of this act.

(5)(i) $1,941,000 of the general fund—state appropriation for fiscal year 2022, $6,439,000 of the general fund—state appropriation for fiscal year 2023, and $12,064,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(ii) $6,028,000 of the general fund—state appropriation for fiscal year 2023 and $7,669,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(6) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(7) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be $900 for each facility.

(8) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(9) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(10) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(11) The department shall continue to administer ((~~initiative 2 of the medicaid transformation waiver that provides~~)) tailored support for older adults and medicaid alternative care as described in initiative 2 of the ((~~medicaid transformation~~)) 1115 demonstration waiver ((~~under healthier Washington~~)). This initiative will be funded by the health care authority ((~~with~~)) through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all ((~~of the~~)) expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(12)(i) $3,378,000 of the general fund—state appropriation for fiscal year 2022, $5,561,000 of the general fund—state appropriation for fiscal year 2023, and $11,980,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium, as provided in section 948 of this act.

(ii) $8,922,000 of the general fund—state appropriation for fiscal year 2023 and $8,212,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for fiscal year 2023, as provided in section 937 of this act.

(13) $1,761,000 of the general fund—state appropriation for fiscal year 2022, $1,761,000 of the general fund—state appropriation for fiscal year 2023, and $4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(14) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(15) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(16) No later than December 31, 2021, the department of social and health services and the health care authority shall submit a waiver request to the federal department of health and human services to authorize presumptive medicaid eligibility determinations for clients preparing for acute care hospital discharge who may need long-term services and supports. The department and the authority shall hold stakeholder discussions, including opportunities for public review and comment, during development of the waiver request. Upon submission of the waiver request, the department and the authority shall submit a report to the governor and the appropriate legislative committees that describes the request and identifies any statutory changes that may be necessary if the federal government approves the request.

(17) The annual certification renewal fee for community residential service businesses is $859 per client in fiscal year 2022 and $859 per client in fiscal year 2023. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(18) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of $485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(19) $261,000 of the general fund—state appropriation for fiscal year 2022, $320,000 of the general fund—state appropriation for fiscal year 2023, and $861,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by five cents per hour effective July 1, 2021.

(20) The department of social and health services must claim the enhanced federal medical assistance participation rate for home and community-based services offered under section 9817 of the American rescue plan act of 2021 (ARPA). Appropriations made that constitute supplementation of home and community-based services as defined in section 9817 of ARPA are listed in LEAP omnibus document HCBS-2021.

(21) $1,458,000 of the general fund—state appropriation for fiscal year 2022 and $1,646,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to provide personal care services for up to 20 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(22) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for community-based dementia education and support activities in two areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(23) $237,000 of the general fund—state appropriation for fiscal year 2022, $226,000 of the general fund—state appropriation for fiscal year 2023, and $572,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 1218 (long-term care residents). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(24) ((~~$345,000 of the general fund—state appropriation for fiscal year 2022, $50,000 of the general fund—state appropriation for fiscal year 2023, and $336,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1127 (COVID-19 health data privacy). If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(25)~~)) $4,329,000 of the general fund—state appropriation for fiscal year 2022 and $4,329,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

((~~(26) $41,117,000~~)) (25) $85,981,000 of the general fund—state appropriation for fiscal year 2022, $44,711,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$101,715,000~~)) $244,279,000 of the general fund—federal appropriation are provided solely to continue providing rate add-ons for contracted service providers to address the increased costs associated with serving clients during the COVID-19 pandemic ((~~through the end of calendar year 2021~~)).

((~~(27)~~)) (26) $11,609,000 of the general fund—state appropriation for fiscal year 2023 and $11,609,000 of the general fund—federal appropriation are provided solely to increase the fixed rate paid for skilled nursing facility medicaid direct care to one hundred and five percent of statewide case mix neutral median costs.

((~~(28)~~)) (27) Within the amounts provided in this section, the department of social and health services must develop a statewide agency emergency preparedness plan with which to respond to future public health emergencies.

((~~(29)~~)) (28) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

((~~(30)~~)) (29) $1,858,000 of the general fund—state appropriation for fiscal year 2022 and $1,857,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

((~~(31)~~)) (30) $479,000 of the general fund—state appropriation for fiscal year 2022 and $479,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

((~~(32)~~)) (31) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

((~~(33)~~)) (32) $1,344,000 of the general fund—state appropriation for fiscal year 2022 and $1,344,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the kinship care support program.

((~~(34) $10,797,000~~)) (33) $7,938,000 of the general fund—state appropriation for fiscal year 2022, ((~~$11,477,000~~)) $13,412,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$23,946,000~~)) $22,456,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2022, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

((~~(35)~~)) (34) $58,000 of the general fund—state appropriation for fiscal year 2022 and $90,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5229 (health equity continuing education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(36)~~)) (35) $50,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for fall prevention training. The department of social and health services will provide one-time grant funding to an association representing long-term care facilities to develop and provide fall prevention training for long-term care facilities. The training must include information about environmental modifications to help reduce falls, tools to assess an individual's risk for falling, and evidence-based interventions for reducing falls amongst individuals with dementia or cognitive impairments. The training must be offered at no cost and made available online for the general public to access at any time. The recipient of the grant funds must work with the department of social and health services and the department of health on developing and promoting the training.

((~~(37)~~)) (36) $4,504,000 of the general fund—state appropriation for fiscal year 2022, $9,072,000 of the general fund—state appropriation for fiscal year 2023, and $452,000 of the general fund—federal appropriation are provided solely for behavioral health personal care services for individuals with exceptional care needs due to their psychiatric diagnosis as determined through the department's CARE assessment and for three full-time positions to coordinate with the health care authority and medicaid managed care organizations for the care of these individuals. Future caseload and per capita changes for behavioral health personal care services will be incorporated into the department's medicaid forecast. The department shall coordinate with the authority for purposes of developing and submitting to the centers for medicare and medicaid, a 1915(i) state plan.

((~~(38)~~)) (37) Within existing appropriations, and no later than December 31, 2021, the department of social and health services must work with stakeholders to consider modifications to current practices that address the current challenges adult family homes are facing with acquiring and maintaining liability insurance coverage. In consultation with stakeholders, the department of social and health services must:

(a) Transition language contained in citation and enforcement actions to plain talk language that helps insurers and consumers understand the nature of the regulatory citations; and

(b) Display the severity and resolution of citation and enforcement actions in plain talk language for consumers and insurers to better understand the nature of the situation.

((~~(39)~~)) (38) $435,000 of the general fund—state appropriation for fiscal year 2022 and $435,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to continue the current pilot project in Pierce county to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid and to establish two new pilot project sites in King county, one site in Clark county, and one site in Spokane county. The department of social and health services shall submit a report by December 1, 2022, to the governor and appropriate legislative committees that addresses the following for each site:

(a) The number of people served in the pilot;

(b) The number of people served in the pilot who transitioned to medicaid personal care;

(c) The number of people served in the pilot who found stable housing; and

(d) Any additional information or data deemed relevant by the contractors or the department of social and health services.

((~~(40)~~)) (39) $3,063,000 of the general fund—state appropriation for fiscal year 2022 and $4,517,000 of the general fund—federal appropriation is provided solely to offset COVID-19 related cost impacts on the in-home medicaid long-term care case management program operated by area agencies on aging.

((~~(41)~~)) (40) Appropriations provided in this section are sufficient to implement Substitute Senate Bill No. 5258 (consumer directed employers).

((~~(42)~~)) (41) $69,000 of the general fund—state appropriation for fiscal year 2022, $65,000 of the general fund—state appropriation for fiscal year 2023, and $98,000 of the general fund—federal appropriation are provided solely to implement Engrossed Second Substitute Senate Bill No. 5163 (conditionally released sexually violent predators). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(43)~~)) (42) $75,000 of the general fund—state appropriation for fiscal year 2022, $54,000 of the general fund—state appropriation for fiscal year 2023, and $130,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 1411 (health care workforce). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(44)~~)) (43) $15,000 of the general fund—state appropriation for fiscal year 2022, ((~~$51,000~~)) $111,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$32,000~~)) $61,000 of the general fund—federal appropriation are provided solely for a cost of living adjustment to the personal needs allowance pursuant to RCW 74.09.340.

(44) $8,259,000 of the general fund—state appropriation for fiscal year 2023 and $8,259,000 of the general fund—federal appropriation are provided solely to adjust the minimum occupancy assumption used to calculate the indirect care median to 80 percent.

(45) $38,265,000 of the general fund—state appropriation for fiscal year 2023 and $48,666,000 of the general fund—federal appropriation are provided solely for the purposes of settling all claims in the two related cases *Liang et al v. Washington DSHS et al*, Thurston county superior court case no. 20-2-02506-34 and *SEIU 775 v. Washington DSHS et al*, Thurston county superior court case no. 18-2-05584-34, Washington supreme court case no. 99658-8. The expenditure of these amounts is contingent upon the release of all claims in both cited cases, and total settlement costs shall not exceed the amounts provided in this subsection and section 203(1)(y) of this act. If the settlement agreement is not fully executed and approved by the Thurston county superior court by June 30, 2023, the amounts provided in this subsection shall lapse.

(46) $799,000 of the general fund—state appropriation for fiscal year 2023 and $1,016,000 of the general fund—federal appropriation are provided solely for wages and benefits of home care agency workers who provide direct care.

(47) $133,000 of the general fund—state appropriation for fiscal year 2022, $181,000 of the general fund—state appropriation for fiscal year 2023, and $313,000 of the general fund—federal appropriation are provided solely to continue the overpayment resolution team through the 2021-2023 fiscal biennium. No later than June 30, 2023, the department shall submit to the appropriate committees of the legislature a report describing the work undertaken by this team and the associated outcomes.

(48) $1,081,000 of the general fund—state appropriation for fiscal year 2023 and $1,200,000 of the general fund—federal appropriation are provided solely to increase private duty nursing rates by 20 percent and to increase private duty nursing adult family home provider rates by 10 percent effective July 1, 2022.

(49) $4,200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for area agency on aging care coordinators stationed in acute care hospitals to help transition clients ready for hospital discharge into home and community-based settings. Care coordinators shall keep data on numbers of patients discharged and readmission impacts and report that information to the department of social and health services.

(50) $23,000 of the general fund—state appropriation for fiscal year 2022, $12,637,000 of the general fund—state appropriation for fiscal year 2023, and $14,136,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 68 percent of full methodology funding, effective July 1, 2022.

(a) Of the amounts provided in this subsection, $23,000 of the general fund—state appropriation for fiscal year 2022, $39,000 of the general fund—state appropriation for fiscal year 2023, and $62,000 of the general fund—federal appropriation are provided solely for a one-time project staff position at the department to develop and submit a report to the governor and appropriate legislative committees no later than December 30, 2022. The report must include a review and summary of discharge regulations and notification requirements for assisted living providers and include recommendations related to disclosure of providers' terms and conditions for medicaid acceptance.

(b) Following the submission of the report in (a) of this subsection and through the end of the 2021-2023 fiscal biennium, the department shall regularly review and report on medicaid resident utilization of and access to assisted living facilities.

(51) $12,000,000 of the general fund—state appropriation for fiscal year 2023 and $12,000,000 of the general fund—federal appropriation are provided solely to increase the rate paid for area agency on aging case management services by 23 percent.

(52) $68,000 of the general fund—state appropriation for fiscal year 2023 and $67,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5866 (medicaid LTSS/tribes). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(53) $83,000 of the general fund—state appropriation for fiscal year 2023 and $83,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5620 (medicaid expenditures). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(54) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to establish a grant program to expand the use of air conditioning in adult family homes that are serving individuals whose services are funded through medicaid or state funded long-term care programs. A qualifying adult family home may receive up to $5,000 in grant funding. Grants must be used for one-time costs associated with equipping and installing portable air conditioning units in resident's bedrooms and common areas, or updating the adult family home's heating, ventilation, and air conditioning system to include air conditioning. The department shall verify that the grant was used appropriately at the inspection immediately following the adult family home's receipt of the grant.

(55) $350,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a study of the feasibility of placing individuals under the jurisdiction of the department of corrections in nursing home facilities licensed or to be licensed by the department to better meet the client's care needs. By October 1, 2022, in collaboration with the department of corrections and the health care authority, the department must submit a preliminary report to the governor and the relevant fiscal and policy committees of the legislature. At a minimum, the preliminary report must review the medical, behavioral health, and long-term care needs of the individuals and assess whether the state could obtain and be eligible for federal funding for providing health care and long-term care services for individuals under the jurisdiction of the department of corrections placed in nursing home facilities. By June 30, 2023, the department, in collaboration with the department of corrections, must submit a final report to the governor and the relevant fiscal and policy committees of the legislature. The final report shall:

(a) Assess the relevant characteristics and needs of the potential patient population;

(b) Assess the feasibility, daily operating costs, staffing needs, and other relevant factors of potential locations or contractors, including the Maple Lane corrections center, for placement of long-term care individuals under the jurisdiction of the department of corrections for a potential nursing home facility to be licensed by the department;

(c) A cost-benefit analysis of placing individuals under the jurisdiction of department of corrections clients in potential facilities identified in subsection (b) of this subsection, including the possibility or absence of federal funding for operations. The department of corrections must provide daily operating costs of prisons where these individuals may be coming from, the fiscal year 2021 daily costs per incarcerated individual assigned to the sage living unit, and the costs associated with electronic home monitoring costs per individual. This analysis shall take into account both state-run and privately contracted options;

(d) Assess the ability of potential facilities identified in subsection (b) of this subsection to better meet clients' medical and personal needs; and

(e) Assess the ability to provide medicaid funded services to meet the health care needs of these individuals.

(56) $273,000 of the general fund—state appropriation for fiscal year 2023 and $347,000 of the general fund—federal appropriation are provided solely to increase the rates paid for adult day health and adult day care providers effective July 1, 2022, by the amount of the temporary rate add-on in effect through June 30, 2022.

(57) $900,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to expand the availability of home-delivered meals for eligible long-term care clients.

**Sec.**  2021 c 334 s 205 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$414,105,000~~))

$428,958,000

General Fund—State Appropriation (FY 2023) ((~~$420,792,000~~))

$485,946,000

General Fund—Federal Appropriation ((~~$1,528,996,000~~))

$1,602,386,000

General Fund—Private/Local Appropriation $5,274,000

Domestic Violence Prevention Account—State

Appropriation $2,404,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$345,399,000~~))

$345,494,000

TOTAL APPROPRIATION ((~~$2,716,970,000~~))

$2,870,462,000

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

(1)(a) ((~~$118,168,000~~)) $104,540,000 of the general fund—state appropriation for fiscal year 2022, ((~~$119,846,000~~)) $111,919,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$859,678,000~~)) $860,219,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) ((~~$386,329,000~~)) $359,541,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1)(b):

(i) ((~~$10,914,000~~)) $7,776,000 of the general fund—state appropriation for fiscal year 2022, ((~~$14,104,000~~)) $9,729,000 of the general fund—state appropriation for fiscal year 2023, and $27,226,000 of the general fund—federal appropriation are provided solely for the department to increase the temporary assistance for needy family grant standard by 15 percent, effective July 1, 2021.

(ii) $10,744,000 of the general fund—federal appropriation of the amounts in (a) of this subsection are provided solely for the department to provide cash assistance to households who have exceeded the 60 month time limit in the temporary assistance for needy families program, pursuant to RCW 74.08A.010(5), through June 30, 2022. Because funding for this specific purpose is provided only through fiscal year 2022, pursuant to section 4 of Second Substitute Senate Bill No. 5214, the bill takes effect 90 days after final adjournment of the legislative session in which it is enacted.

(iii) $3,420,000 of the general fund—state appropriation for fiscal year 2023 and $2,126,000 of the general fund—federal appropriation are provided solely for the cost of benefits associated with the implementation of Second Substitute Senate Bill No. 5214 (economic assistance programs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~)) The department is directed to provide the high-unemployment time-limit extension approved under the bill upon the expiration of the 60-month time limit extension pursuant to (b)(ii) of this subsection.

(iv) $217,000 of the general fund—state appropriation for fiscal year 2022 and $863,000 of the general fund—federal appropriation are provided solely for costs in state fiscal year 2022 that are associated with the temporary suspension of the mid-certification review and extension of the eligibility review between November 2020 and June 2021 for the temporary assistance for needy families program.

(v) $50,000 of the general fund—federal appropriation is provided solely to increase the monthly payment standard for households with nine or more assistance unit members that are receiving temporary assistance for needy families or state family assistance benefits, effective July 1, 2022.

(c) $172,917,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1)(c), the department shall implement the working family support program.

(i) $5,952,000 of the general fund—state appropriation for fiscal year 2022 and $157,000 of the general fund—federal appropriation of the amounts in (a) of this subsection are provided solely for the WorkFirst services costs associated with the expansion of the 60 month time limit in the temporary assistance for needy families program for households described in RCW 74.08A.010(5).

(ii) $2,474,000 of the amounts provided in this subsection (1)(c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(iii) $378,000 of the general fund—state appropriation for fiscal year 2022 and $568,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for WorkFirst services costs associated with the implementation of chapter 320, Laws of 2020 (revising economic assistance programs).

(iv) $748,000 of the general fund—state appropriation for fiscal year 2022, $760,000 of the general fund—state appropriation for fiscal year 2023, and $1,706,000 of the general fund—federal appropriation are provided solely for WorkFirst services costs associated with the implementation of chapter 338, Laws of 2020 (improving access to temporary assistance for needy families).

(v) $3,701,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the WorkFirst costs associated with the implementation of Second Substitute Senate Bill No. 5214 (economic assistance programs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this section shall lapse.~~))

(d) Of the amounts in (a) of this subsection, $353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective September 30, 2022, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, $68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, ((~~$116,195,000~~)) $122,322,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) $399,000 of the general fund—state appropriation for fiscal year 2022 of the amounts in (a) of this subsection is provided solely for administrative and overhead costs associated with the expansion of the 60 month time limit in the temporary assistance for needy families program for households described in RCW 74.08A.010(5).

(ii) $43,000 of the general fund—state appropriation in fiscal year 2022 and $43,000 of the general fund—state appropriation in fiscal year 2023 are provided solely for administrative and overhead costs associated with the implementation of chapter 320, Laws of 2020 (revising economic assistance programs).

(iii) $1,215,000 of the general fund—federal appropriation is provided solely for administrative and overhead costs associated with the implementation of chapter 338, Laws of 2020 (improving access to temporary assistance for needy families).

(iv) $512,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for administrative and overhead costs associated with the implementation of Second Substitute Senate Bill No. 5214 (economic assistance programs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~)) The department is directed to use the funding provided in this subsection to make information technology changes necessary to provide the high-unemployment time-limit extension approved under the bill beginning July 1, 2022.

(v) $489,000 of the general fund—federal appropriation is provided solely for administrative and overhead costs associated with the implementation of Substitute Senate Bill No. 5838 (TANF diaper subsidy). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to ten percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) Each calendar quarter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2021-2023 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) $2,545,000 of the general fund—state appropriation for fiscal year 2022 and $2,546,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for naturalization services.

(3) $2,366,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for employment services for refugees and immigrants, of which $1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and $2,366,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for employment services for refugees and immigrants, of which $1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2022, and January 1, 2023, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) $1,500,000 of the general fund—state appropriation for fiscal year 2022 and $1,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for operational support of the Washington information network 211 organization.

(9) $609,000 of the general fund—state appropriation for fiscal year 2022 and $380,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of section 2, chapter 9, Laws of 2021 (SHB 1151) (public assistance), a state-funded cash benefit program and transitional food assistance program for households with children that are recipients of the supplemental nutrition assistance program of the food assistance program but are not recipients of the temporary assistance for needy families program.

(10) $377,000 of the general fund—state appropriation for fiscal year 2022 and $377,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the consolidated emergency assistance program.

(11) $77,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to conduct a study, jointly with the poverty reduction work group, on the feasibility of implementing a universal basic income pilot program. The study must include research of other universal basic income programs, recommendations for a pilot in Washington, a cost-benefit analysis, operational costs, and an implementation plan that includes a strategy to ensure pilot participants who voluntarily quit a public assistance program to enroll in the universal basic income pilot will not experience gaps in service upon completion of the pilot. The department shall submit recommendations required by this section to the governor and appropriate legislative committees no later than June 1, 2022.

(12) $251,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for costs in state fiscal year 2022 that are associated with the temporary suspension of mid-certification reviews and extension of the eligibility review between November 2020 and June 2021 for the aged, blind, or disabled program.

(13) $388,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for costs in fiscal year 2022 that are associated with the temporary suspension of mid-certification reviews and extension of the eligibility review between November 2020 and June 2021 for the food assistance program.

(14) $5,399,000 of the coronavirus state fiscal recovery ((~~account~~)) fund—federal appropriation is provided solely for the department to increase benefits for the food assistance program to maintain parity with benefits provided under the supplemental nutrition assistance program, for the period of July 1, 2021, through ((~~September 30, 2021~~)) January 31, 2022.

(15) $340,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the Washington immigrant relief fund, a disaster assistance program to provide grants to eligible persons. Administrative costs may not exceed 10 percent of the funding in this subsection.

(a) A person is eligible for a grant who:

(i) Lives in Washington state;

(ii) Is at least 18 years of age;

(iii) After January 1, 2021, and before June 30, 2023, has been significantly affected by the coronavirus pandemic, such as loss of employment or significant reduction in work hours, contracting the coronavirus, having to self-quarantine as a result of exposure to the coronavirus, caring for a family member who contracted the coronavirus, or being unable to access childcare for children impacted by school or childcare closures; and

(iv) Is not eligible to receive federal economic impact (stimulus) payments or unemployment insurance benefits due to the person's immigration status.

(b) The department may not deny a grant to a person on the basis that another adult in the household is eligible for federal economic impact (stimulus) payments or unemployment insurance benefits or that the person previously received a grant under the program. However, a person may not receive more than three grants.

(c) The department's duty to provide grants is subject to the availability of the amounts specified in this subsection, and the department must prioritize grants to persons who are most in need of financial assistance using factors that include, but are not limited to: (i) Having an income at or below 250 percent of the federal poverty level; (ii) being the primary or sole income earner of household; (iii) experiencing housing instability; and (iv) having contracted or being at high risk of contracting the coronavirus.

(d) The department may contract with one or more entities to administer the program. If the department engages in a competitive contracting process for administration of the program, experience in administering similar programs must be given weight in the selection process to expedite the delivery of benefits to eligible applicants.

(16) $204,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$22,635,000~~)) $22,766,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to provide a one-time or short-term cash benefit to families eligible for pandemic emergency assistance under section 9201 of the American rescue plan act of 2021, P.L. 117-2, and to offer an equivalent benefit to eligible state family assistance or food assistance program recipients.

(17) $88,000 of the general fund—state appropriation for fiscal year 2022 and $89,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 90, Laws of 2021 (SSB 5068) (postpartum period/Medicaid).

(18) $41,000 of the general fund—state appropriation for fiscal year 2022, $81,000 of the general fund—state appropriation for fiscal year 2023, and $237,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1416 (insurers/child support coll.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(19) $11,884,000 of the general fund—state appropriation for fiscal year 2022 and $15,248,000 of the general fund—federal appropriation are provided solely to cover the variance in total child support arrears collected in fiscal year 2022 compared to the total arrears collected in fiscal year 2021.

(20) $36,860,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to increase the grant standard for the aged, blind, or disabled program to a maximum of $417 per month for a one-person grant and $528 for a two-person grant effective September 1, 2022.

(21) $513,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to eliminate the mid-certification review for blind or disabled participants in the aged, blind, or disabled program, effective July 1, 2022.

(22) $195,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to expand the aged, blind, or disabled program's clothing, personal maintenance, and necessary incidentals grant to individuals between the ages of 21 and 64 who are residing in a public mental institution, effective September 1, 2022.

(23) $560,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to implement a state-funded employment and training program for recipients of the state's food assistance program, effective July 1, 2022.

(24) $219,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to implement Substitute Senate Bill No. 5785 (concerning transitional food assistance). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(25) $211,000 of the general fund—state appropriation for fiscal year 2022, $5,727,000 of the general fund—state appropriation for fiscal year 2023, and $13,762,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(26) $95,000 of the general fund—state appropriation for fiscal year 2023 and $61,000 of the general fund—federal appropriation are provided solely to remove the asset limit test for the medicare savings plan program in collaboration with the health care authority, effective January 1, 2023.

(27) $207,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for system upgrades necessary for the anticipated expansion of medicaid equivalent health care coverage to uninsured adults with income up to 138 percent of the federal poverty level regardless of immigration status in collaboration with the health care authority. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(28) $27,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5729 (exception to administrative hearing deadlines). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(29) $8,489,000 of the general fund—state appropriation for fiscal year 2022 and $4,922,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for temporary and permanent housing needs of refugees from the 2022 Ukraine-Russia conflict arriving in Washington state, along with other necessary support services such as employment and training, case management, legal services, emergency supports, integration into schools, and physical and mental health needs.

**Sec.**  2021 c 334 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$16,231,000~~))

$17,363,000

General Fund—State Appropriation (FY 2023) ((~~$16,456,000~~))

$24,646,000

General Fund—Federal Appropriation ((~~$109,595,000~~))

$109,830,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $13,000

TOTAL APPROPRIATION ((~~$142,282,000~~))

$151,852,000

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

(1) $40,000 of the general fund—state appropriation for fiscal year 2022 and $40,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1061 (child welfare/dev disability). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(2) $5,087,000 of the general fund—state appropriation for fiscal year 2023 and $235,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5790 (community support services). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$63,650,000~~))

$64,880,000

General Fund—State Appropriation (FY 2023) ((~~$61,748,000~~))

$69,819,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $404,000

TOTAL APPROPRIATION ((~~$125,398,000~~))

$135,103,000

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

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) $1,204,000 of the general fund—state appropriation for fiscal year 2022 and $1,079,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for specialized equipment and additional medical staff to provide more capacity to deliver care to individuals housed at the total confinement facility. No later than November 1, 2023, the department shall report to the legislature on the number of individuals treated on the island that previously would have been transported off the island for treatment.

(3) $16,000 of the general fund—state appropriation for fiscal year 2022 and $15,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the increased costs for personal computers leased through the department of enterprise services.

(4) $6,768,000 of the general fund—state appropriation for fiscal year 2022 and $4,496,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5163 (conditionally released SVPs). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $3,792,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to enter into an interagency agreement with King county to provide prosecution services pursuant to chapter 71.09 RCW in King county.

**Sec.**  2021 c 334 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$39,381,000~~))

$41,104,000

General Fund—State Appropriation (FY 2023) ((~~$39,035,000~~))

$48,995,000

General Fund—Federal Appropriation ((~~$51,371,000~~))

$54,647,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $132,000

TOTAL APPROPRIATION ((~~$129,787,000~~))

$144,878,000

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

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2022, and February 1, 2023. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(2)(a) $3,000 of the general fund—state appropriation for fiscal year 2022, $5,000 of the general fund—state appropriation for fiscal year 2023, and $8,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium.

(b) $25,000 of the general fund—state appropriation for fiscal year 2023 and $8,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for fiscal year 2023 as provided in section 936 of this act.

(3) By October 1, 2021, the department must submit a report to the fiscal committees of the legislature detailing shortcomings of the previously funded electronic health records system and contract, the clinical validity of existing software, approaches to mitigate the shortcomings of previously funded system, and a recommended approach to establishing a comprehensive electronic health records system at state facilities in the future.

(4) $39,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to implement Substitute House Bill No. 1411 (health care workforce). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(5) $3,640,000 of the general fund—state appropriation for fiscal year 2023 and $910,000 of the general fund—federal appropriation are provided solely to implement Engrossed Second Substitute Senate Bill No. 5662 (right-of-way camping/housing) and to create cross-agency collaboration teams to coordinate services at the state, regional, and local level for those living on public right-of-way encampment sites across the state of Washington. A centralized data analysis team will also be created and charged with the data infrastructure development necessary to track the location of encampments, monitor progress, and assist with annual outcome reporting.

(6) $75,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department, in collaboration with the Washington state health care authority, to study the cost and benefit of adopting available options to expand medicare savings programs and classic medicaid programs, including categorically needy and medically needy, to promote affordable care, premiums, and cost-sharing for medicare enrollees. The cost analysis must identify available federal funding for each option. The department shall consider options that create affordability comparable to affordable care act programs available to adults without medicare, as well as intermediate options that move toward comparability. The study must analyze equity impacts of each option, considering gender, race, and ethnicity. The department shall submit the study and recommendations to the fiscal and health care committees of the legislature, as well as the joint legislative-executive committee on planning for aging and disability issues, by November 1, 2022.

(7) $75,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to design and conduct a study describing the service experiences and characteristics of persons receiving medicaid-funded long-term services and supports and persons receiving services related to developmental or intellectual disabilities, and associated social and health services expenditures. Where feasible, this analysis shall include service experiences and expenditures of these populations within and across medicaid-funded long-term services and supports, medicaid-funded medical programs, medicaid-funded behavioral health programs, and medicare programs in Washington state. The department analysis shall be developed in consultation with relevant stakeholders, including but not limited to the Washington state health care authority. The department shall submit a final study report to the governor and appropriate committees of the legislature by December 31, 2022.

(8) $715,000 of the general fund—state appropriation for fiscal year 2023 and $179,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5723 (diversity in clinical trials). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(9) $65,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to prepare an annual report in consultation with the department of commerce on the projected demand for permanent supportive housing. This report is to be submitted to the appropriate committees of the legislature by December 1, 2022.

**Sec.**  2021 c 334 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$65,743,000~~))

$66,890,000

General Fund—State Appropriation (FY 2023) ((~~$56,529,000~~))

$57,639,000

General Fund—Federal Appropriation ((~~$53,229,000~~))

$53,270,000

TOTAL APPROPRIATION ((~~$175,501,000~~))

$177,799,000

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over $250,000 and to all locations leased by the department with contents valued over $250,000.

**Sec.**  2021 c 334 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1)(a) During the 2021-2023 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3)(a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2021, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2022, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2022 among programs after approval by the director of the office of financial management. The authority must notify the fiscal committees of the legislature prior to receiving approval from the director of the office of financial management. To the extent that appropriations in sections 211 through 215 of this act are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions or for expenses in response to the COVID-19 pandemic, the authority may transfer general fund—state appropriations for fiscal year 2022 that are provided solely for a specified purpose. The authority may not transfer funds, including for expenses in response to the COVID-19 pandemic in fiscal year 2022, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec.**  2021 c 334 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2022) ((~~$2,516,277,000~~))

$2,391,512,000

General Fund—State Appropriation (FY 2023) ((~~$2,439,933,000~~))

$2,609,550,000

General Fund—Federal Appropriation ((~~$13,199,214,000~~))

$13,946,048,000

General Fund—Private/Local Appropriation ((~~$355,726,000~~))

$463,318,000

Emergency Medical Services and Trauma Care Systems

Trust Account—State Appropriation $15,086,000

Hospital Safety Net Assessment Account—State

Appropriation ((~~$723,238,000~~))

$685,383,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) ((~~$24,511,000~~))

$26,063,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$25,182,000~~))

$21,933,000

Medical Aid Account—State Appropriation $540,000

Telebehavioral Health Access Account—State

Appropriation ((~~$7,714,000~~))

$8,034,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$35,000,000~~))

$59,600,000

Ambulance Transport Fund—State Appropriation $14,317,000

TOTAL APPROPRIATION ((~~$19,342,421,000~~))

$20,241,384,000

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

(1) The authority shall not accept or expend any federal funds received under a medicaid transformation waiver under healthier Washington except as described in subsections (2), (3), and (4) of this section until specifically approved and appropriated by the legislature. To ensure compliance with legislative directive budget requirements and terms and conditions of the waiver, the authority shall implement the waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the innovation waiver requires better analytic capability, transparency, consistency, timeliness, accuracy, and lack of redundancy with other established measures and that the patient must be considered first and foremost in the implementation and execution of the demonstration waiver. In order to effectuate these goals, the authority shall: (a) Require the Dr. Robert Bree collaborative and the health technology assessment program to reduce the administrative burden upon providers by only requiring performance measures that are nonduplicative of other nationally established measures. The joint select committee on health care oversight will evaluate the measures chosen by the collaborative and the health technology assessment program for effectiveness and appropriateness; (b) develop a patient satisfaction survey with the goal to gather information about whether it was beneficial for the patient to use the center of excellence location in exchange for additional out-of-pocket savings; (c) ensure patients and health care providers have significant input into the implementation of the demonstration waiver, in order to ensure improved patient health outcomes; and (d) in cooperation with the department of social and health services, consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget, to the joint select committee on health care oversight prior to submitting waivers for federal approval. The authority shall submit an application to the centers for medicaid and medicare services to extend the duration of the medicaid transformation waiver under healthier Washington as described in subsections (2), (3), and (4) of this section by one year. If not extended, by federal standard, the medicaid transformation demonstration waiver shall not exceed the duration originally granted by the centers for medicare and medicaid services and any programs created or funded by this waiver do not create an entitlement.

(2)(a) No more than ((~~$63,052,000~~)) $78,409,000 of the general fund—federal appropriation and no more than ((~~$50,840,000~~)) $66,264,000 of the general fund—local appropriation may be expended for transformation through accountable communities of health described in initiative 1 of the medicaid transformation demonstration wavier under healthier Washington, including preventing youth drug use, opioid prevention and treatment, and physical and behavioral health integration. Under this initiative, the authority shall take into account local input regarding community needs. In order to ensure transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not increase general fund—state expenditures under this initiative. The director shall also report to the fiscal committees of the legislature all of the expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) No more than ((~~$243,047,000~~)) $198,909,000 of the general fund—federal appropriation and no more than ((~~$99,274,000~~)) $81,245,000 of the general fund—private/local appropriation may be expended for the medicaid quality improvement program. Under federal regulations, the medicaid quality improvement program is authorized and allows states to design quality improvement programs for the medicaid population in ways that support the state's quality goals. Medicaid quality improvement program payments will not count against the medicaid transformation demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. Apple health managed care organizations and their partnering providers will receive medicaid quality improvement program payments as they meet designated milestones. Partnering providers and apple health managed care organizations will work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority shall only utilize the medicaid quality improvement program to support the transformation waiver and shall not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program does not create an entitlement. The authority shall not increase general fund—state, federal, or private/local expenditures under this program. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all of the expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(3) No more than $26,837,000 of the general fund—federal appropriation and $26,839,000 of the general fund—local appropriation may be expended for tailored support for older adults and medicaid alternative care described in initiative 2 of the medicaid transformation demonstration waiver under healthier Washington as well as administrative expenses for initiative 3. The authority shall contract and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not increase general fund—state expenditures on this initiative.

(4) No more than ((~~$50,389,000~~)) $28,680,000 of the general fund—federal appropriation and no more than ((~~$22,862,000~~)) $12,992,000 of the general fund—local appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third party administrator. The authority shall not increase general fund—state expenditures under this initiative. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(5) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (6), (7), and (8) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in both under MQIP and initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement.

(6)(a) $32,434,000 of the general fund—federal appropriation and $40,296,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) $110,778,000 of the general fund—federal appropriation and $45,248,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support accountable communities of health, tailored support for older adults and medicaid alternative care, and foundational community supports, also referred to as initiatives 1, 2, and 3, as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2022.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(7) $19,902,000 of the general fund—federal appropriation and $19,903,000 of the general fund—local appropriation are provided solely for tailored support for older adults and medicaid alternative care described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(8)(a) $13,325,000 of the general fund—federal appropriation and $7,318,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) The authority and the department shall seek additional flexibilities for housing supports through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(9) $202,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for supported employment services and $208,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for supported housing services similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(10) The authority shall submit a plan to preserve the waiver that allows for the full cost of stays in institutions for mental diseases to be included in managed care rates by November 1, 2021, to the appropriate committees of the legislature.

((~~(6)~~)) (11) The authority shall submit a plan to preserve the waiver allowing for full federal financial participation for medical clients in mental health facilities classified as institutions for mental diseases by November 1, 2021, to the appropriate committees of the legislature.

((~~(7)~~)) (12) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

((~~(8)~~)) (13) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

((~~(9)~~)) (14) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

((~~(10)~~)) (15) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

((~~(11)~~)) (16) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

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

((~~(12)~~)) (18) $3,997,000 of the general fund—state appropriation for fiscal year 2022, $4,261,000 of the general fund—state appropriation for fiscal year 2023, and $8,786,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

((~~(13)~~)) (19) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

((~~(14)~~)) (20) $7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

((~~(15)~~)) (21) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2021-2023 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2021, and by November 1, 2022, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2022 and fiscal year 2023, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2021-2023 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. ((~~$702,000~~)) $425,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$649,000~~)) $391,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for state grants for the participating hospitals.

((~~(16)~~)) (22) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

((~~(17)~~)) (23) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

((~~(18)~~)) (24) The authority shall submit reports to the governor and the legislature by September 15, 2021, and no later than September 15, 2022, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

((~~(19)~~)) (25) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

((~~(20)~~)) (26) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

((~~(21)~~)) (27) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

((~~(22)~~)) (28) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

((~~(23)~~)) (29) $90,000 of the general fund—state appropriation for fiscal year 2022, $90,000 of the general fund—state appropriation for fiscal year 2023, and $180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program. By November 15, 2022, the authority shall submit a report to the appropriate committees to the legislature that provides, at a minimum, information about the number of calls received by the nonprofit organization in the previous year, the amount of time spent on each call, comparisons to previous years, where available, and information about what data is collected related to this service.

((~~(24)~~)) (30) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

((~~(25)~~)) (31) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

((~~(26)~~)) (32) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

((~~(27)~~)) (33) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

((~~(28)~~)) (34) Beginning no later than January 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

((~~(29)~~)) (35) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

((~~(30)~~)) (36) During the 2021-2023 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are over nineteen years of age;

(b) Are at or below two hundred and sixty percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

((~~(31)~~)) (37) Sufficient amounts are appropriated within this section for the authority to incorporate the expected outcomes and criteria to measure the performance of service coordination organizations as provided in chapter 70.320 RCW into contracts with managed care organizations that provide services to clients. The authority is directed to:

(a) Contract with an external quality improvement organization to annually analyze the performance of managed care organizations providing services to clients under this chapter based on seven performance measures. The analysis required under this subsection must:

(i) Measure managed care performance in four common measures across each managed care organization, including:

(A) At least one common measure must be weighted towards having the potential to impact managed care costs; and

(B) At least one common measure must be weighted towards population health management, as defined by the measure; and

(ii) Measure managed care performance in an additional three quality focus performance measures specific to a managed care organization. Quality focus performance measures chosen by the authority must:

(A) Be chosen from the statewide common measure set;

(B) Reflect specific measures where a managed care organization has poor performance; and

(C) Be substantive and clinically meaningful in promoting health status.

(b) The authority shall set the four common measures to be analyzed across all managed care organizations.

(c) The authority shall set three quality focus performance measures specific to each managed care organization. The authority must determine performance measures for each managed care organization based on the criteria established in (a)(ii) of this subsection.

(d) By September 15, 2021, and annually thereafter, the authority shall notify each managed care organization of the performance measures for the organization for the subsequent plan year.

(e) Two percent of the total plan year funding appropriated to each managed care organization that provides services to clients under chapter 70.320 RCW shall be withheld. At least seventy-five percent of the withhold shall be held contingent on each managed care organization's performance on the seven performance measures identified in this section. Each managed care organization may earn back the annual withhold if the external quality improvement organization finds that the managed care organization:

(i) Made statistically significant improvement in the seven performance measures as compared to the preceding plan year; or

(ii) Scored in the top national medicaid quartile of the performance measures.

(f) The amount of withhold annually paid to each managed care organization shall be proportional to findings of statistically significant improvement or top national medicaid quartile scoring by a managed care organization.

(g) For no more than two of the four quality focus performance measures, the authority may use an alternate methodology to approximate top national medicaid quartile performance where top quartile performance data is unavailable.

(h) For the purposes of this subsection, "external quality improvement organization" means an organization that meets the competence and independence requirements under 42 C.F.R. Sec. 438.354, as it existed on the effective date of this section.

((~~(32)~~)) (38)(a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division; and

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(A) Work with its contracted actuary and the medicaid forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(B) Work with the medicaid forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2021, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report; and

(ii) Specific, quantified information regarding the steps taken toward (a)(i), (iii), and (iv) of this subsection.

((~~(33)~~)) (39) No later than December 31, 2021, the health care authority, in partnership with the department of social and health services as described in section 204(16) of this act, shall submit a waiver request to the federal department of health and human services to authorize presumptive medicaid eligibility determinations for clients preparing for acute care hospital discharge who may need long-term services and supports. The department and the authority shall hold stakeholder discussions, including opportunities for public review and comment, during development of the waiver request. Upon submission of the waiver request, the department and the authority shall submit a report to the governor and the appropriate legislative committees that describes the request and identifies any statutory changes that may be necessary if the federal government approves the request.

((~~(34)~~)) (40) $2,786,000 of the general fund—state appropriation for fiscal year 2022, $3,714,000 of the general fund—state appropriation for fiscal year 2023, and $11,009,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective October 1, 2021, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90832, 90833, 90834, 90837, H0004, H0036, H2015, H2021, H0023, 90836, 90838, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, 90845, 90846, 90847, 90849, 90853, 90785, and 90791. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in chapter 285, Laws of 2020 (EHB 2584) (behavioral health rates);

(b) Raise the state fee-for-service rates for these codes by up to 15 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning October 2021, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsections ((~~(35) and (36)~~)) (41) and (42) of this section.

((~~(35)~~)) (41) $19,664,000 of the general fund—state appropriation for fiscal year 2022, $26,218,000 of the general fund—state appropriation for fiscal year 2023, and $77,996,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning October 1, 2021. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 15 percent above medical assistance rates in effect on January 1, 2019;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 21 percent above medical assistance rates in effect on January 1, 2019;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 21 percent above medical assistance rates in effect on January 1, 2019;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2019; and

(f) Not duplicate rate increases provided in subsections ((~~(34) and (36)~~)) (40) and (42) of this section.

((~~(36)~~)) (42) $2,233,000 of the general fund—state appropriation for fiscal year 2022, $2,977,000 of the general fund—state appropriation for fiscal year 2023, and $10,871,000 of the general fund—federal appropriation are provided solely to increase provider rates to maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers. The rate increases are effective October 1, 2021, and must be applied to the following codes for eligible apple health and family planning only clients seeking services through department of health sexual and reproductive health program providers: 36415, 36416, 55250, 57170, 58340, 58600, 58605, 58611, 58615, 58670, 58671, 59840, 59841, 59850, 59851, 59852, 59855, 59856, 59857, 76817, 81025, 84702, 84703, 86631, 86632, 86901, 87110, 87270, 87320, 87490, 87491, 87590, 87591, 87624, 87625, 87800, 87810, 88141, 88142, 88143, 88147, 88148, 88150, 88152, 88153, 88164, 88165, 88166, 88167, 88174, 88175, 96372, 99071, 99201, 99202, 99203, 99204, 99211, 99212, 99213, 99214, 99384, 99385, 99386, 99394, 99395, 99396, 99401, and S0199. The authority may use a substitute code if any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Increase the family planning rates for services that are included on and reimbursed solely at the existing family planning fee schedule on a fee-for-service basis, as well as through managed care plans, by at least 162 percent above family planning fee schedule rates in effect on January 1, 2021;

(b) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2021; and

(c) Not duplicate rate increases provided in subsections ((~~(34) and (35)~~)) (40) and (41) of this section.

((~~(37)~~)) (43)(a) Beginning with fiscal year 2020, and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics.

(b) Beginning with fiscal year 2020, and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics during the fiscal year close process following generally accepted accounting practices.

((~~(38)~~)) (44)(a) The authority in collaboration with the office of financial management and representatives from fiscal committees of the legislature shall conduct an evaluation of the APM4 model to determine its cost effectiveness and impact on patient outcomes and report its findings and recommendations to the appropriate committees of the legislature by November 15, 2022.

(b) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(c) The authority shall not modify the reconciliation process or the APM4 program with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(d) The authority shall require all managed care organizations to provide information to the authority to account for all payments to federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with federally qualified health centers contracting under APM4.

(f) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with federally qualified health centers contracting under APM4 during the fiscal year close process following generally accepted accounting practices.

((~~(39)~~)) (45) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

((~~(40)~~)) (46) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.

((~~(41)~~)) (47) $60,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—federal appropriation are provided solely for evaluation of the Washington rural health access preservation pilot program.

((~~(42)~~)) (48) $160,000 of the general fund—state appropriation for fiscal year 2022 and $1,440,000 of the general fund—federal appropriation are provided solely for health care interoperability costs and are subject to the conditions, limitations, and review provided in section 701 of this act.

((~~(43)~~)) (49) $275,000 of the general fund—state appropriation for fiscal year 2022, $160,000 of the general fund—state appropriation for fiscal year 2023, and $3,913,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

((~~(44)~~)) (50) $484,000 of the general fund—state appropriation for fiscal year 2022 and $466,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement Engrossed Second Substitute Senate Bill No. 5399 (universal health care commission). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(45)~~)) (51) $654,000 of the general fund—state appropriation for fiscal year 2022, $655,000 of the general fund—state appropriation for fiscal year 2023, and $2,154,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

((~~(46)~~)) (52) $1,715,000 of the general fund—state appropriation for fiscal year 2022((~~, $1,804,000 of the general fund—state appropriation for fiscal year 2023,~~)) and ((~~$6,647,000~~)) $3,368,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through ((~~(d)~~)) (e) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, ((~~2023~~)) 2022, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014;

(d) Be owned and operated by the state or a political subdivision; and

(e) Accept single bed certification patients pursuant to RCW 71.05.745.

((~~(47)~~)) (53) $100,000 of the general fund—state appropriation for fiscal year 2022, $100,000 of the general fund—state appropriation for fiscal year 2023, and $200,000 of the general fund—federal appropriation are provided solely for pass through funding for a citizens of the compact of free association (COFA) community member led organization through a Washington state based organization contract as outlined in RCW 43.71A.030 to provide additional supports to COFA community members statewide who are seeking access to health coverage and health care services. The amounts provided in this subsection for fiscal year 2022 must be distributed no later than October 1, 2021. The amounts provided in this subsection for fiscal year 2023 must be distributed no later than October 1, 2022.

((~~(48)~~)) (54) The authority shall collaborate with the Washington state LGBTQ commission, the department of health, advocates for people living with HIV in Washington, consumers, and medical professionals with expertise in serving the medicaid population living with HIV, to consider and develop recommendations regarding:

(a) Access to HIV antiretroviral drugs on the medicaid drug formulary, including short- and long-term fiscal implications of eliminating current prior authorization and fail-first requirements;

(b) Impact of drug access on public health and the statewide goal of reducing HIV transmissions; and

(c) Maximizing pharmaceutical drug rebates for HIV antiretroviral drugs.

((~~(49)~~)) (55) $22,000 of the general fund—state appropriation for fiscal year 2022, $22,000 of the general fund—state appropriation for fiscal year 2023, and $134,000 of the general fund—federal appropriation are provided solely to implement Substitute Senate Bill No. 5157 (behavioral disorders/justice). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(50)~~)) (56) Within the amounts appropriated in this section, the authority shall extend the oral health connections pilot project in Spokane, Thurston, and Cowlitz counties. The authority shall continue to work in collaboration with a state-based oral health foundation to jointly develop and implement the program. The purpose of the pilot is to test the effect that enhanced dental benefits for medicaid clients with diabetes and pregnant clients have on access to dental care, health outcomes, and medical care costs. The pilot program must continue to include enhanced reimbursement rates for participating dental providers, including denturists licensed under chapter 18.30 RCW, and an increase in the allowable number of periodontal treatments to up to four per calendar year. The authority has the option of extending pilot program eligibility to dually eligible medicaid clients who are diabetic or pregnant and to pregnant medicaid clients under the age of 20. The authority has the option of adjusting the pilot program benefit design and fee schedule based on previous findings, within amounts appropriated in this section. Diabetic or pregnant medicaid clients who are receiving dental care within the pilot regions, regardless of location of the service within the pilot regions, are eligible for the increased number of periodontal treatments. The state-based oral health foundation shall continue to partner with the authority and provide wraparound services to link patients to care. The authority and foundation shall provide a joint report to the appropriate committees of the legislature on October 1, 2021, outlining the findings of the original three-year pilot program, and on December 1, 2022, outlining the progress of the extended pilot program.

((~~(51)~~)) (57)(a) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—federal appropriation are provided solely for contracting with the office of equity to implement chapter 293, Laws of 2020 (baby, child dentistry access). By November 15, 2021, the authority shall submit a report to the appropriate committees to the legislature describing its progress implementing chapter 293, Laws of 2020 (baby, child dentistry access) and chapter 242, Laws of 2020 (access to baby and child dentistry for children with disabilities).

(b) $200,000 of the general fund—state appropriation for fiscal year 2023 and $200,000 of the general fund—federal appropriation are provided solely for the authority to contract with access to baby and child dentistry local programs for the purpose of maintaining and expanding capacity for local program coordinators. The goals of this contracting include, but are not limited to, reducing racial and ethnic disparities in access to care and oral health outcomes, increasing the percentage of medicaid-enrolled children under the age of two accessing dental care, and continued provider engagement and outreach. The authority may contract with the office of equity and other statewide and local equity partners to provide training and identify activities and deliverables.

((~~(52)~~)) (58) $75,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—federal appropriation are provided solely for contracting by the health care authority to further the development and implementation of its Washington primary care transformation initiative, intended to increase team-based primary care and the percentage of overall health care spending in the state devoted to primary care. By October 1, 2021, the authority must update the legislature on the status of the initiative, including any fiscal impacts of this initiative, potential implementation barriers, and needed legislation.

((~~(53)~~)) (59) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

((~~(54)~~)) (60) $149,000 of the general fund—state appropriation for fiscal year 2022 and $140,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement Engrossed Second Substitute Senate Bill No. 5377 (standardized health plans). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(55)~~)) (61) Within the amount appropriated within this section, the authority shall implement the requirements of Substitute Senate Bill No. 5068 (postpartum period/medicaid) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

((~~(56)~~)) (62) $10,695,000 of the general fund—state appropriation for fiscal year 2022, $10,695,000 of the general fund—state appropriation for fiscal year 2023, and $54,656,000 of the general fund—federal appropriation are provided solely to maintain and increase access for adult dental services for medicaid enrolled patients through increased provider rates beginning July 1, 2021. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for adult dental services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis up to 100 percent above medical assistance rates in effect on January 1, 2019.

((~~(57)~~)) (63) $551,000 of the general fund—state appropriation for fiscal year 2022, $770,000 of the general fund—state appropriation for fiscal year 2023, and $3,288,000 of the general fund—federal appropriation are provided solely for the implementation of Second Substitute Senate Bill No. 5195 (opioid overdose medication). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(58)~~)) (64) The authority must claim the enhanced federal medical assistance participation rate for home and community-based services offered under section 9817 of the American rescue plan act of 2021 (ARPA). Appropriations made that constitute supplementation of home and community-based services as defined in section 9817 of ARPA are listed in the LEAP omnibus document HCBS-2021.

((~~(59)~~)) (65) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2022.

((~~(60)~~)) (66)(a) $35,000,000 of the coronavirus state fiscal recovery ((~~account~~)) fund—federal appropriation is provided solely for the authority to distribute grants for the provision of health care services for uninsured and underinsured individuals, regardless of immigration status. Grants provided under this subsection must be used for the direct care of uninsured and underinsured individuals under 200 percent of the federal poverty level, including on-site care as well as referrals to and payment for services provided off-site, for:

(i) The testing, assessment, or treatment of the severe acute respiratory syndrome coronavirus 2 (COVID-19), including facility and provider fees;

(ii) Primary and preventive care;

(iii) Behavioral health services;

(iv) Oral health care;

(v) Assessment, treatment, and management of acute or chronic conditions, including but not limited to the cost of laboratory, prescription medications, specialty care, therapies, radiology, and other diagnostics; and

(vi) Outreach and education needed to inform patients and prospective patients that care is available free of charge.

(b) To be eligible for a grant under this subsection, a federally qualified health center, rural health clinic, free clinic, public hospital district, behavioral health provider or facility, behavioral health administrative service organization, or community-based organization must apply for a grant and agree to not:

(i) Bill individuals for any portion of the services provided that involve the use of amounts appropriated in this section; or

(ii) Use the amounts provided in this subsection for services for which other funds are available, such as federal funds from the families first coronavirus response act and the American rescue plan act.

(c) Grants provided under this subsection may be used to provide on-site care, care delivered via telehealth, and referrals to and payments for services provided off-site. Recipients may use funds distributed in this subsection to reimburse other providers or facilities for the cost of care. Only free clinics may use grants provided under this subsection to cover general operating costs, including staffing, supplies, and equipment purchases.

(d) The agency shall employ fund allocation approaches that engage community residents, organizations, and leaders in identifying priorities and implementing projects and initiatives that reflect community values and priorities. At a minimum, this must include consultation with community health boards and organizations that advocate for access to health care for uninsured state residents.

(e) Recipients of the amounts provided in this subsection must submit reports to the authority on the use of grant funds, including data about utilization of services. The authority shall prepare and post on its website an annual report detailing the amount of funds disbursed and aggregating information submitted by recipients.

(f) The authority may retain no more than three percent of the amounts provided in this subsection for administrative costs.

(g) As used in this subsection, "free clinics" mean private, nonprofit, community, or faith-based organizations that provide medical, dental, and mental health services at little or no cost to uninsured and underinsured people through the use of volunteer health professionals, community volunteers, and partnerships with other health providers.

((~~(61)~~)) (67) $123,000 of the general fund—state appropriation for fiscal year 2022, $46,000 of the general fund—state appropriation for fiscal year 2023, and $743,000 of the general fund—federal appropriation are provided solely for the implementation of Substitute House Bill No. 1348 (incarcerated persons/medical). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(62)~~)) (68) $1,350,000 of the general fund—state appropriation for fiscal year 2023 and $2,570,000 of the general fund—federal appropriation are provided solely for the implementation of House Bill No. 1096 (nonmedicare plans). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(63)~~)) (69) Within the amounts provided in this section, sufficient funding is provided for the authority to implement Second Substitute House Bill No. 1325 (behavioral health/youth).

((~~(64)~~)) (70) $184,000 of the general fund—state appropriation for fiscal year 2022 and $175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute House Bill No. 1196 (audio-only telemedicine). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(65)~~)) (71) $232,000 of the general fund—state appropriation for fiscal year 2022, $300,000 of the general fund—state appropriation for fiscal year 2023, and $599,000 of the general fund—federal appropriation are provided solely for reimbursement for a social worker as part of the medical assistance home health benefit.

((~~(66)~~)) (72) $1,303,000 of the general fund—state appropriation for fiscal year 2022 and $285,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5203 (generic prescription drugs). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(67)~~)) (73) $18,669,000 from the Indian health improvement reinvestment account is provided solely for Indian health improvement advisory plan projects, programs, and activities authorized by RCW 43.71B.030.

((~~(68)~~)) (74) $434,000 of the general fund—state appropriation for fiscal year 2022 and $489,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to partner with the department of social and health services to create surge capacity in acute care hospitals by supporting non-citizens who are both in acute care hospitals awaiting discharge and on the department of social and health services waitlist for services. The amounts provided in this subsection are for the authority to cover the cost of medical assistance for 20 new non-citizen clients.

((~~(69)~~)) (75) $25,000 of the general fund—state appropriation for fiscal year 2022 and $25,000 of the general fund—federal appropriation are provided solely for the authority to develop an implementation plan to incorporate medical and psychiatric respite care as statewide medicaid benefits. The plan must include an analysis of the cost effectiveness of providing medical and psychiatric respite care benefits for medicaid enrollees. In developing the plan, the authority shall consult with interested stakeholders, including medicaid managed care organizations, community health centers, organizations providing respite care, and hospitals. Amounts provided in this subsection may be used for staff support and one-time contracting. No later than January 15, 2022, the authority shall report its findings to the relevant committees of the legislature, the office of the governor, and the office of financial management.

((~~(70)~~)) (76) $281,000 of the general fund—state appropriation for fiscal year 2022, $192,000 of the general fund—state appropriation for fiscal year 2023, and $803,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5304 (reentry services). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(71)~~)) (77)(a) The authority shall assess the feasibility and fiscal impacts of an 1115 medicaid waiver to extend continuous eligibility for apple health covered children ages zero through five as a component of school readiness. The authority may seek support for the analysis. Prior to submitting the waiver application, the authority shall provide a status update no later than September 30, 2021, to the governor and fiscal committees of the legislature.

(b) $6,090,000 of the general fund—state appropriation for fiscal year 2023 and $6,125,000 of the general fund—federal appropriation are provided solely for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

(78) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

(79) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

(80) $270,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the health care authority to establish a total cost of insulin work group as described in chapter 346, Laws of 2020 (Engrossed Second Substitute House Bill No. 2662) (total cost of insulin).

(81) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

(82) $103,000 of the general fund—state appropriation for fiscal year 2022, $253,000 of the general fund—state appropriation for fiscal year 2023, and $2,724,000 of the general fund—federal appropriation are provided solely for the authority to procure an electronic consent management solution for patients and health care providers to exchange health-related information and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(83) $1,788,000 of the general fund—state appropriation for fiscal year 2022, $1,788,000 of the general fund—state appropriation for fiscal year 2023, and $994,000 of the general fund—federal appropriation are provided solely for electronic health record expansion that must be based on the operational and technical needs necessary to implement the national 988 system and are subject to the conditions, limitations, and review requirements of section 701 of this act. As a condition of funding under this subsection, the authority must complete all reporting required under RCW 71.24.898.

(84) $3,250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to make information technology system and provider network upgrades necessary for the anticipated expansion of medicaid equivalent health care coverage for uninsured adults with income up to 138 percent of the federal poverty level regardless of immigration status in collaboration with the department of social and health services and is subject to the conditions, limitations, and review provided in section 701 of this act.

(85) $18,191,000 of the general fund—state appropriation for fiscal year 2023 and $18,966,000 of the general fund—federal appropriation are provided solely to maintain and increase access for children's dental services for medicaid enrolled patients through increased provider rates beginning July 1, 2022. Within the amounts provided in this subsection, the authority must increase:

(a) Medical assistance rates for children's dental services codes consistent with the adult dental codes that were increased in subsection (62) of this section;

(b) Rates for sealants that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis up to 100 percent above medical assistance rates in effect on July 1, 2021; and

(c) Corresponding rates for the access to baby and child dentistry program eligible codes proportionately with the children's dental rates in this subsection.

(86) $250,000 of the general fund—state appropriation for fiscal year 2023 and $250,000 of the general fund—federal appropriation are provided solely for the authority to conduct a feasibility study for planning, design, implementation, and administration of a case management solution that supports acquisition, storage, and retrieval of data and data analysis pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.,* United States district court for the western district of Washington, cause no. 14-cv-00178-MJP.

(87) $56,000 of the general fund—state appropriation for fiscal year 2022 and $1,548,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for health information technology necessary to support the 1115 demonstration waiver as it relates to institutions for mental diseases and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(88) $545,000 of the general fund—state appropriation for fiscal year 2023 and $297,000 of the general fund—federal appropriation are provided solely to align services provided through both fee-for-service and managed care to the bright futures guidelines, or a comparable schedule, for early and periodic screening, diagnosis, and treatment consistent with the provisions in Substitute Senate Bill No. 5912 (children on medicaid).

(89) $3,174,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5745 (personal needs allowance). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(90) $204,000 of the general fund—state appropriation for fiscal year 2023 and $189,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5620 (medicaid expenditures). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(91) $297,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5589 (primary care spending). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(92) $1,460,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (Rx drug affordability board). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(93) $61,000 of the general fund—state appropriation for fiscal year 2023 and $183,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5736 (minors/behavioral health). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(94) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to design a standardized payment methodology for a palliative care benefit for the state medicaid program and the employee and retiree benefits programs. The authority may contract with a third party to design the palliative care model and complete the work required in this subsection.

(95) $403,000 of the general fund—state appropriation for fiscal year 2023 and $1,185,000 of the general fund—federal appropriation are provided solely for the authority to provide an adult acupuncture benefit beginning January 1, 2023.

(96) $581,000 of the general fund—state appropriation for fiscal year 2023 and $1,706,000 of the general fund—federal appropriation are provided solely for the authority to provide an adult chiropractic benefit beginning January 1, 2023.

(97) $640,000 of the general fund—state appropriation for fiscal year 2023 and $655,000 of the general fund—federal appropriation are provided solely for a 20 percent rate increase, effective January 1, 2023, for in-home skilled nursing services, nurse delegation, in-home private duty nursing, and adult family home private duty nursing.

(98) $180,000 of the general fund—state appropriation for fiscal year 2023 and $187,000 of the general fund—federal appropriation are provided solely for a 10 percent rate increase, effective January 1, 2023, for registered nurses and licensed practical nurses providing skilled nursing services for children who require medically intensive care in a home setting.

(99) $140,000 of the general fund—state appropriation for fiscal year 2023 and $266,000 of the general fund—federal appropriation are provided solely for a 10 percent rate increase, effective January 1, 2023, for home health services.

(100) $50,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to establish the psilocybin services wellness and opportunity work group created in section 941 of this act.

(101) $1,241,000 of the general fund—state appropriation for fiscal year 2023 and $2,476,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural regional referral hospitals that meet the criteria in (a) through (g) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 110 percent of the current medicaid hospital's fee-for-service rates beginning July 1, 2022, for the state medicaid plan and for each of the managed care organization's contracted rates with the hospital. The authority must discontinue this rate increase after June 30, 2023, and return to the payment levels and methodology for these hospitals that were in place as of June 30, 2022. To qualify for this increase, a hospital must:

(a) Have greater than 170 available acute beds as reported in the hospital's 2020 department of health year-end report;

(b) Be currently designated by the centers for medicare and medicaid services as a sole community hospital located in north central Washington;

(c) Have a medicaid eligible population greater than 30 percent of the service population;

(d) Have medicaid revenue greater than 16 percent of total gross revenue as reported on the hospital's 2020 medicare cost report;

(e) Be designated by the state of Washington as a level 3 adult trauma center and a level 3 pediatric trauma center;

(f) Be designated by the state of Washington as a level 2 nursery; and

(g) Be designated as a certified stroke center.

(102) $1,954,000 of the general fund—state appropriation for fiscal year 2023 and $3,051,000 of the general fund—federal appropriation are provided solely for increased payments to hospitals that meet the criteria in (a) through (c) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the current medicaid hospital's fee-for-service rates beginning July 1, 2022, for the state medicaid plan and for each of the managed care organization's contracted rates with the hospital. To qualify for this increase, a hospital must:

(a) Have fewer than 70 available beds as reported in the hospital's 2020 department of health year-end report;

(b) Not be currently designated as a critical access hospital, and not meet current federal eligibility requirements for designation as a critical access hospital; and

(c) Have combined medicare and medicaid inpatient days greater than 65 percent as reported in the hospital's 2020 department of health year-end report.

(103) $24,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the authority to provide one-time grants to community health centers paid under either APM3 or APM4 that experienced overpayments because of COVID-19 service-related reductions or were unable to meet targeted benchmarks because of extraordinary community pandemic response needs.

(104) $250,000 of the general fund—state appropriation for fiscal year 2023 and $250,000 of the general fund—federal appropriation are provided solely for project management and contracting to assist the authority with post-eligibility review planning in anticipation of the end of the COVID-19 public health emergency.

(105) $40,000 of the general fund—state appropriation for fiscal year 2022, $40,000 of the general fund—state appropriation for fiscal year 2023, $80,000 of the general fund—federal appropriation, and $320,000 of the telebehavioral access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

(106)(a) $2,087,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to establish a two-year grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW beginning January 1, 2023. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds. Within the amounts provided within this subsection, the authority will provide an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and a final report by January 1, 2025. The report shall include, but not be limited to, the quantitative impacts of the grant program, how many community health workers are participating in the grant program, how many clinics these community health workers represent, how many clients are being served, and evaluation of any measurable health outcomes identified in the planning period prior to January 2023.

(b) In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health-related social needs of families, including approaches to incorporate federal funding.

(107)(a) No more than $156,707,000 of the general fund—federal appropriation and no more than $60,942,000 of the general fund—local appropriation may be expended for an outpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by University of Washington medical center and harborview medical center;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by University of Washington medical center and harborview medical center to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

(108) $70,000 of the general fund—state appropriation for fiscal year 2023 and $65,000 of the general fund—federal appropriation are provided solely for the authority to collaborate with the department of health and the University of Washington to develop a licensure and regulatory program for behavioral health support specialists consistent with the provisions in Engrossed Second Substitute Senate Bill No. 5884 (behavioral health support).

(109) $16,000 of the general fund—state appropriation for fiscal year 2022, $31,000 of the general fund—state appropriation for fiscal year 2023, and $420,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

(110) $5,000 of the general fund—state appropriation for fiscal year 2023 and $13,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5664 (forensic competency hearings). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(111)(a) $3,735,000 of the general fund—state appropriation for fiscal year 2023 and $17,810,000 of the general fund—federal appropriation are provided solely for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization beginning January 1, 2023.

(b) Beginning January 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

**Sec.**  2021 c 334 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—

State Appropriation ((~~$37,403,000~~))

$39,053,000

TOTAL APPROPRIATION ((~~$37,403,000~~))

$39,053,000

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

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during the 2023-2025 fiscal biennium and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in PEBB benefits. However, the funding provided anticipates that the public employees' benefits board may increase virtual access to behavioral health resources and interventions and case management.

(3) Except as may be provided in a health care bargaining agreement, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require or make any or all of the following: Employee premium copayments, increases increase in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than twenty-five dollars per month from members who use tobacco products, and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) The health care authority shall analyze and report on the potential impacts of providing a one-time enrollment window for retirees to reestablish eligibility for enrollment in retiree benefits under the public employees' benefit board program. The authority shall submit the report to the appropriate committees of the legislature by January 1, 2022. At a minimum the report must include an estimate of the employer cost and a description of the assumptions used.

(6) $285,000 of the state health care authority administrative account—state appropriation is provided solely for a customer service scheduling tool, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

**Sec.**  2021 c 334 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation ((~~$25,771,000~~))

$28,063,000

TOTAL APPROPRIATION ((~~$25,771,000~~))

$28,063,000

The appropriation in this section is subject to the following conditions and limitations: $15,000 of the school employees' insurance administrative account—state appropriation is provided solely for a customer service scheduling tool, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

**Sec.**  2021 c 334 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2022) ((~~$4,831,000~~))

$4,881,000

General Fund—State Appropriation (FY 2023) ((~~$4,543,000~~))

$9,547,000

General Fund—Federal Appropriation ((~~$83,017,000~~))

$56,532,000

Health Benefit Exchange Account—State Appropriation ((~~$77,710,000~~))

$80,860,000

State Health Care Affordability Account—State

Appropriation ((~~$50,000,000~~))

$55,000,000

TOTAL APPROPRIATION ((~~$220,101,000~~))

$206,820,000

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

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2)(a) By July 15th and January 15th of each year, the authority shall make a payment of one-half the general fund—state appropriation, one-half the health benefit exchange account—state appropriation, and one-half the health care affordability account—state appropriation to the exchange. By July 15, 2021, the authority shall make the payments of the general fund—federal appropriation (CRRSA) and the general fund—federal appropriation (ARPA) to the exchange.

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3)(a) $146,000 of the general fund—state appropriation for fiscal year 2022 and $554,000 of the general fund—federal appropriation are provided solely for the exchange, in close consultation with the health and human services enterprise coalition (coalition), to develop a report on the next steps required for information technology solutions for an integrated health and human services eligibility solution. The report must include, but is not limited to a:

(i) Technical approach and architecture;

(ii) Roadmap and implementation plan for modernizing and integrating the information technology eligibility and enrollment system for including, but not limited to, medicaid, basic food, child care assistance, cash assistance, and other health and human service program benefits, beginning with classic medicaid; and

(iii) Discussion of how an integrated health and human services solution would:

(A) Comply with federal requirements;

(B) Maximize efficient use of staff time;

(C) Support accurate and secure client eligibility information;

(D) Improve the client enrollment experience; and

(E) Provide other notable coalition agency impacts.

(b) The exchange, in coordination with the coalition, must submit the report to the governor and appropriate committees of the legislature by January 15, 2022.

(4) $1,634,000 of the health benefit exchange account—state appropriation and $592,000 of the general fund—federal appropriation are provided solely for healthplanfinder enhancement activities. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(5) $1,324,000 of the health benefit exchange account—state appropriation and $2,740,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(6) $250,000 of the general fund—federal appropriation (CRRSA) and $150,000 of the general fund—federal appropriation (ARPA) are provided solely for pass-through funding to one or more lead navigator organizations to promote access to health services through outreach and insurance plan enrollment assistance for employees working in a licensed child care facility.

(7)(a) ((~~$25,171,000~~)) $1,171,000 of the general fund—federal appropriation (CRRSA) and $5,095,000 of the general fund—federal appropriation (ARPA) are provided solely for the exchange to implement a health care insurance premium assistance program for employees who work in licensed child care facilities. The general fund—federal appropriation (CRRSA) must be expended by September 30, 2022.

(b) An individual is eligible for the child care premium assistance program for the remainder of the plan year if the individual:

(i) Is an employee working in a licensed child care facility;

(ii) Enrolls in a silver standardized health plan under RCW 43.71.095;

(iii) Prior to January 1, ((~~2023~~)) 2024, has income that is less than 300 percent of the federal poverty level;

(iv) Applies for and accepts all federal advance premium tax credits for which he or she may be eligible before receiving any state premium assistance;

(v) Is ineligible for minimum essential coverage through medicare, a federal or state medical assistance program administered by the health care authority under chapter 74.09 RCW, or for premium assistance under RCW 43.71A.020; and

(vi) Meets other eligibility criteria as established by the exchange.

(c) Subject to the availability of amounts provided in this subsection, the exchange shall pay the premium cost for a qualified health plan for an individual who is eligible for the child care premium assistance program under (b) of this subsection.

(d) The exchange may disqualify a participant from the program if the participant:

(i) No longer meets the eligibility criteria in (b) of this subsection;

(ii) Fails, without good cause, to comply with procedural or documentation requirements established by the exchange in accordance with (e) of this subsection;

(iii) Fails, without good cause, to notify the exchange of a change of address in a timely manner;

(iv) Voluntarily withdraws from the program; or

(v) Performs an act, practice, or omission that constitutes fraud, and, as a result, an insurer rescinds the participant's policy for the qualified health plan.

(e) The exchange shall establish:

(i) Procedural requirements for eligibility and continued participation in any premium assistance program under this section, including participant documentation requirements that are necessary to administer the program; and

(ii) Procedural requirements for facilitating payments to and from carriers.

(f) The program must be implemented no later than November 1, 2021.

(g) No later than October 1, 2022, the exchange shall submit a report to the governor and appropriate committees of the legislature on the implementation of the child care premium assistance program including, but not limited to:

(i) The number of individuals participating in the program to date; and

(ii) The actual costs of the program to date, including agency administrative costs.

(8) $136,000 of the general fund—state appropriation for fiscal year 2022, $136,000 of the general fund—state appropriation for fiscal year 2023, $254,000 of the health benefit exchange account—state appropriation, and $274,000 of the general fund—federal appropriation are provided solely for pass through funding in the annual amount of $100,000 for the lead navigator organization in the four regions with the highest concentration of COFA citizens to:

(a) Support a staff position for someone from the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community led outreach and enrollment activities that help COFA citizens obtain and access health and dental coverage.

(9) $142,000 of the general fund—state appropriation for fiscal year 2022 and $538,000 of the general fund—federal appropriation are provided solely for the implementation of Substitute Senate Bill No. 5068 (postpartum period/medicaid) and section 9812 of the American rescue plan act of 2021.

(10) $8,012,000 of the health benefit exchange account—state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 5377 (standardized health plans). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(11) $50,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in Engrossed Second Substitute Senate Bill No. 5377 (standardized health plans), and this is the maximum amount the exchange may expend for this purpose. An individual is eligible for the premium assistance provided if the individual: (a) Has income up to 250 percent of the federal poverty level; and (b) meets other eligibility criteria as established in section 1(4)(a) of Engrossed Second Substitute Senate Bill No. 5377 (standardized health plans).

(12)(a) Within amounts appropriated in this section, the exchange, in close consultation with the authority and the office of the insurance commissioner, shall explore opportunities to facilitate enrollment of Washington residents who do not qualify for non-emergency medicaid or federal affordability programs in a state-funded program no later than plan year 2024.

(b) If an opportunity to apply to the secretary of health and human services under 42 U.S.C. Sec. 18052 for a waiver is identified or other federal flexibilities are available, the exchange, in collaboration with the office of the insurance commissioner and the authority may develop an application to be submitted by the authority. If an application is submitted, the authority must notify the chairs and ranking minority members of the appropriate policy and fiscal committees of the legislature.

(c) Any application submitted under this subsection must meet all federal public notice and comment requirements under 42 U.S.C. Sec. 18052(a)(4)(B), including public hearings to ensure a meaningful level of public input.

(d) $50,000 of the general fund—state appropriation for fiscal year 2022 and $2,891,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for system updates and community led engagement activities necessary to implement the waiver and is subject to the conditions, limitations, and review provided in section 701 of this act.

(13) $733,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for system upgrades necessary for the anticipated expansion of medicaid equivalent health care coverage to uninsured adults with income up to 138 percent of the federal poverty level regardless of immigration status in collaboration with the health care authority and is subject to the conditions, limitations, and review provided in section 701 of this act.

(14) $20,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the exchange, in collaboration with the state board of community and technical colleges, the student achievement council, and the council of presidents, to provide educational resources and ongoing assister training to support the operations of a pilot program to help connect students, including those enrolled in state registered apprenticeship programs, with health care coverage.

(15) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for one-time activities to promote continuous coverage for individuals losing coverage through Washington apple health at the end of the COVID-19 public health emergency.

(16) $5,000,000 of the health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (11)(a) of this section, and is contingent upon approval of the applicable waiver described in subsection (12)(b) of this section.

(17) $150,000 of the health benefit exchange account—state appropriation is provided solely for the exchange to fulfill the cascade care legislative reporting requirements in chapter 246, Laws of 2021.

**Sec.**  2021 c 334 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$667,948,000~~))

$688,097,000

General Fund—State Appropriation (FY 2023) ((~~$733,456,000~~))

$986,109,000

General Fund—Federal Appropriation ((~~$2,593,457,000~~))

$2,883,082,000

General Fund—Private/Local Appropriation ((~~$37,325,000~~))

$37,676,000

Criminal Justice Treatment Account—State

Appropriation $21,988,000

Problem Gambling Account—State Appropriation ((~~$1,963,000~~))

$2,113,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) $28,493,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$28,493,000~~))

$28,543,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $31,000,000

TOTAL APPROPRIATION ((~~$4,144,123,000~~))

$4,707,101,000

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

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3) $22,643,000 of the general fund—state appropriation for fiscal year 2022, $27,143,000 of the general fund—state appropriation for fiscal year 2023, and $9,073,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development.

(4) $9,031,000 of the general fund—state appropriation for fiscal year 2023 and $219,000 of the general fund—federal appropriation are provided solely to continue the diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP, to provide assessments, mental health services, substance abuse treatment, case management, employment, and social services.

(5) ((~~$10,424,000~~)) $12,926,000 of the general fund—state appropriation for fiscal year 2022, ((~~$10,424,000~~)) $12,926,000 of the general fund—state appropriation for fiscal year 2023, and $23,444,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection ((~~(6)~~)) (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

((~~(5)~~)) (6) $3,520,000 of the general fund—federal appropriation is provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

((~~(6) $95,066,000~~)) (7) $95,822,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$95,066,000~~)) $96,633,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) $72,275,000 of the general fund—state appropriation for fiscal year 2022 and $72,275,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a two percent rate increase to providers receiving state funds for nonmedicaid services under this section effective July 1, 2021.

(b) ((~~$22,791,000~~)) $23,547,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$22,791,000~~)) $24,358,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program and for the state share of costs for exceptional medicaid behavioral health personal care services. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a two percent rate increase to providers receiving state funding for nonmedicaid services under this section effective July 1, 2021.

(ii) The authority shall assure that managed care organizations reimburse the department of social and health services aging and long term support administration for the general fund—state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability. Funding for the federal share of these services is separately appropriated to the department of social and health services.

(c) The authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for individuals with mental illnesses who also have a personal care need. The waiver shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit. By December 1, 2021, the authority, in coordination with the department of social and health services, must submit a report to the office of financial management and the appropriate committees of the legislature which provides the following:

(i) A description of the new benefit design developed for the waiver, including a description of the services to be provided and the responsibility for payment under the waiver;

(ii) Estimates of the number of individuals to be served annually under the new waiver and the estimated state and federal fiscal costs for the managed care organizations and the department of social and health services;

(iii) A comparison estimate of the number of individuals to receive behavioral health personal care services annually under the current benefit structure and the estimated state and federal fiscal costs for the managed care organizations and the department of social and health services; and

(iv) A status update on the development and submission of the waiver with an estimated timeline for approval and implementation of the new wraparound services benefit.

((~~(7)~~)) (8) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

((~~(8)~~)) (9) $1,204,000 of the general fund—state appropriation for fiscal year 2022 and $1,204,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting one hundred eighty-day commitment hearings at the state psychiatric hospitals.

((~~(9)~~)) (10) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection ((~~(6)~~)) (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

((~~(10)~~)) (11) $2,291,000 of the general fund—state appropriation for fiscal year 2022 and $2,291,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

((~~(11)~~)) (12) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

((~~(12)~~)) (13) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan.

((~~(13)~~)) (14) During the 2021-2023 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

((~~(14)~~)) (15) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed ten percent of the total contract amount.

((~~(15)~~)) (16) $3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

((~~(16)~~)) (17) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

((~~(17)~~)) (18) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature which identifies the distribution of criminal justice treatment account funds by September 30, 2021.

((~~(18)~~)) (19) $6,858,000 of the general fund—state appropriation for fiscal year 2022, $6,858,000 of the general fund—state appropriation for fiscal year 2023, and $8,046,000 of the general fund—federal appropriation are provided solely to maintain crisis triage or stabilization centers that were originally funded in the 2017-2019 fiscal biennium. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

((~~(19)~~)) (20) $9,795,000 of the general fund—state appropriation for fiscal year 2022, $10,015,000 of the general fund—state appropriation for fiscal year 2023, and $15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to $650 per day. The authority must require in contracts with behavioral health entities that, beginning in calendar year 2020, they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

((~~(20)~~)) (21) $23,090,000 of the general fund—state appropriation for fiscal year 2022, $23,090,000 of the general fund—state appropriation for fiscal year 2023, and $92,444,000 of the general fund—federal appropriation are provided solely to maintain the enhancement of community-based behavioral health services that was initially funded in fiscal year 2019. Twenty percent of the general fund—state appropriation amounts for each regional service area must be contracted to the behavioral health administrative services organizations and used to increase their nonmedicaid funding allocations and the remainder must be provided to the medicaid managed care organizations providing apple health integrated managed care. The medicaid funding is intended to maintain increased rates for behavioral health services provided by licensed and certified community behavioral health agencies as defined by the department of health. For the behavioral health administrative services organizations, this funding must be allocated to each region based upon the population of the region. For managed care organizations, this funding must be provided through the behavioral health portion of the medicaid integrated managed care capitation rates. The authority must require the managed care organizations to provide a report that details the methodology the managed care organization used to distribute this funding to their contracted behavioral health providers. The report submitted by behavioral health administrative service organizations and managed care organizations must identify mechanisms employed to disperse the funding as well as estimated impacts to behavioral health providers in the community. The authority must submit a report to the legislature by December 1st of each year of the biennium, summarizing the information regarding the distribution of the funding provided under this subsection.

((~~(21)~~)) (22) $1,401,000 of the general fund—state appropriation for fiscal year 2022, $1,401,000 of the general fund—state appropriation for fiscal year 2023, and $3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

((~~(22)~~)) (23)(a) $12,878,000 of the dedicated marijuana account—state appropriation for fiscal year 2022 and $12,878,000 of the dedicated marijuana account—state appropriation for fiscal year 2023 are provided for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

(v) Grants to the office of the superintendent of public instruction for life skills training to children and youth;

(vi) Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

(vii) Maintaining increased residential treatment services for children and youth;

(viii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

(ix) Expenditures into the home visiting services account; and

(x) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

((~~(23)~~)) (24)(a) $1,125,000 of the general fund—state appropriation for fiscal year 2022 and $1,125,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

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

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

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

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

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

((~~(24)~~)) (25) $1,850,000 of the general fund—state appropriation for fiscal year 2022, $1,850,000 of the general fund—state appropriation for fiscal year 2023, and $13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer support services included in behavioral health capitation rates in accordance with section 213(5)(ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

((~~(25)~~)) (26) $1,256,000 of the general fund—state appropriation for fiscal year 2022, $1,256,000 of the general fund—state appropriation for fiscal year 2023, and $2,942,000 of the general fund—federal appropriation are provided solely for the authority to maintain an increase in the number of residential beds for pregnant and parenting women originally funded in the 2019-2021 fiscal biennium.

((~~(26)~~)) (27) $1,423,000 of the general fund—state appropriation for fiscal year 2022, $1,423,000 of the general fund—state appropriation for fiscal year 2023, and $5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

((~~(27)~~)) (28) $350,000 of the general fund—federal appropriation is provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

((~~(28)~~)) (29) $500,000 of the general fund—state appropriation for fiscal year 2022, $500,000 of the general fund—state appropriation for fiscal year 2023, and $1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to chapter 378, Laws of 2019 (2SHB 1767).

((~~(29)~~)) (30) $3,396,000 of the general fund—state appropriation for fiscal year 2022, $3,396,000 of the general fund—state appropriation for fiscal year 2023, and $16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse ((~~facilities~~)) programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation. The authority must provide a report to the office of financial management and the appropriate committees of the legislature on the status of efforts to implement clubhouse programs and receive federal approval for including these services in managed care organization contracts as an optional "in lieu of" service by December 1, 2022.

((~~(30)~~)) (31) $947,000 of the general fund—state appropriation for fiscal year 2022, $947,000 of the general fund—state appropriation for fiscal year 2023, and $1,896,000 of the general fund—federal appropriation are provided solely for the authority to implement a statewide plan to implement evidence-based coordinated specialty care programs that provide early identification and intervention for psychosis in behavioral health agencies in accordance with chapter 360, Laws of 2019 (2SSB 5903).

((~~(31)~~)) (32) $708,000 of the general fund—state appropriation for fiscal year 2022, $708,000 of the general fund—state appropriation for fiscal year 2023, and $1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

((~~(32)~~)) (33) $800,000 of the general fund—state appropriation for fiscal year 2022, $800,000 of the general fund—state appropriation for fiscal year 2023, and $1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement the recommendations of the state action alliance for suicide prevention, to include suicide assessments, treatment, and grant management.

((~~(33)~~)) (34) $446,000 of the general fund—state appropriation for fiscal year 2022, $446,000 of the general fund—state appropriation for fiscal year 2023, and $178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

((~~(34)~~)) (35) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

((~~(35)~~)) (36) $500,000 of the problem gambling account—state appropriation is provided solely for the authority to contract for a problem gambling adult prevalence study. The prevalence study must review both statewide and regional results about beliefs and attitudes toward gambling, gambling behavior and preferences, and awareness of treatment services. The study should also estimate the level of risk for problem gambling and examine correlations with broader behavioral and mental health measures. The health care authority shall submit results of the prevalence study to the problem gambling task force and the legislature by June 30, 2022.

((~~(36)~~)) (37) $9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

((~~(37)~~)) (38) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

((~~(38)~~)) (39) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop ((~~the format of a report which addresses revenues and expenditures for the community behavioral health programs. The report shall include, but not be limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The~~)) specific metrics related to behavioral health outcomes under integrated managed care. These metrics must include, but are not limited to, social and recovery measures, managed care performance measures, access to services, and claims denials. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report by December 30, 2022, outlining the specific metrics implemented. Thereafter, the authority shall submit ((~~the~~)) a report for the preceding calendar year to the governor and appropriate committees of the legislature on or before ((~~July 1st~~)) December 30th of each year detailing the implemented metrics and relevant performance outcomes for the prior calendar year.

((~~(39)~~)) (40) $3,377,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$5,177,000~~)) $8,367,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to implement ((~~two~~)) pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents.

(a) The effective date of the pilot sites is January 1, 2021.

(b) The two pilots must be contracted with a hospital that provides psychiatric inpatient services to children and adolescents in a city with the largest population east of the crest of the Cascade mountains and a hospital that provides psychiatric inpatient services to children and adolescents in a city with the largest population west of the crest of the Cascade mountains.

(c) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the pilot programs in contract.

(d) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community based services that can effectively meet the needs of an individual referred to the program.

(e) The authority must collect data on the pilot sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit a report to the office of financial management and the appropriate committees of the legislature. A preliminary report must be submitted by December 1, 2021, and a final report must be submitted by December 1, 2022. The reports must include the following information:

(i) A narrative description of the services provided at each pilot site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the pilot sites;

(iii) Recommendations for whether either or both of the pilot models should be expanded statewide; whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match; and

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults.

(f) Of the amounts provided in this subsection, $2,850,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to expand the number of pilot sites to a third location. The criteria in (c) and (d) of this subsection shall also apply to this pilot site. Data from this pilot site must be incorporated into the final report required in (e) of this subsection.

((~~(40)~~)) (41)(a) $100,000 of the general fund—federal appropriation is provided solely for the authority to convene a task force to examine impacts and changes proposed to the use of criminal background checks in employment in behavioral health settings, with the goal of reducing barriers to developing and retaining a robust behavioral health workforce, while maintaining patient safety measures. The task force membership must include representatives from:

(i) The office of the attorney general;

(ii) The department of health;

(iii) The department of social and health services;

(iv) The office of the governor; and

(v) Others appointed by the authority, including behavioral health employers and those with lived experience.

(b) The task force shall consider any relevant information and recommendations made available by the work group created under Substitute House Bill No. 1411 (health care workforce).

(c) By December 1, 2021, the authority must submit a report of the task force's recommendations to the governor and the appropriate committees of the legislature.

((~~(41)~~)) (42) $6,042,000 of the general fund—state appropriation for fiscal year 2022, $561,000 of the general fund—state appropriation for fiscal year 2023, and $35,415,000 of the general fund—federal appropriation (CRSSA) are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) $11,170,000 of the general fund—federal appropriation (CRSSA) is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of $9,070,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) $2,407,000 of the general fund state—appropriation for fiscal year 2022, $561,000 of the general fund—state appropriation for fiscal year 2023, and $3,245,000 of the general fund—federal appropriation (CRSSA) are provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) $1,535,000 of the general fund—state appropriation for fiscal year 2022 and $10,417,000 of the general fund—federal appropriation (CRSSA) are provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) $1,100,000 of the general fund—state appropriation for fiscal year 2022 and $1,750,000 of the general fund—federal appropriation (CRSSA) are provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) $1,000,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a public awareness campaign to educate youth and young adults with opioid use disorders about harm reduction, secondary prevention, overdose awareness, fentanyl, and naloxone.

(f) $7,083,000 of the general fund—federal appropriation (CRSSA) is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to $1,750,000 of the general fund—federal appropriation (CRSSA) may be used for the authority's administrative costs associated with services funded in this subsection ((~~(41)~~)) (42).

((~~(42)~~)) (43) $3,109,000 of the general fund—state appropriation for fiscal year 2022 and $3,109,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. By December 1, 2021, and December 1, 2022, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

((~~(43)~~)) (44) Within the amounts provided in this section, sufficient funding is provided for the authority to implement requirements to provide up to five sessions of intake and assessment pursuant to Second Substitute House Bill No. 1325 (behavioral health/youth).

((~~(44)~~)) (45) $19,000,000 of the general fund—federal appropriation (CRSSA) and $1,600,000 of the general fund—federal appropriation (ARPA) are provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) $7,303,000 of the general fund—federal appropriation (CRSSA) is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of $6,150,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) $6,344,000 of the general fund—federal appropriation (CRSSA) is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) $961,000 of the general fund—federal appropriation (CRSSA) is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) $1,346,000 of the general fund—federal appropriation (CRSSA) is provided solely to enhance crisis services and may be used for crisis respite care.

(e) $2,307,000 of the general fund—federal appropriation (CRSSA) is provided solely for the expansion of first episode psychosis programs.

(f) Up to $961,000 of the general fund—federal appropriation (CRSSA) may be used for the authority's administrative costs associated with services funded in this subsection.

((~~(45)~~)) (46) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding. The authority must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2021, which identifies any activities the authority has implemented or identified to shift state costs to the unused federal funds and an analysis of the fiscal impacts for these activities and options.

((~~(46)~~)) (47) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to implement one-time behavioral health workforce pilot programs and training support grants pursuant to Engrossed Second Substitute House Bill No. 1504 (workforce education development act). Of these amounts, $440,000 of the general fund—state appropriation for fiscal year 2022 and $440,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the three behavioral health workforce pilot programs and $60,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for training support grants. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(47)~~)) (48) $2,500,000 of the general fund—state appropriation for fiscal year 2022 and $2,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails. The authority must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2021, on the allocation of the fiscal year 2021 funding within this subsection. The authority must provide a report to the office of financial management and the appropriate committees of the legislature by December 1, 2022, on the allocation of the fiscal year 2022 funding and the expenditures and number of individuals served in fiscal year 2021 by location.

((~~(48)~~)) (49) $500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

((~~(49)~~)) (50) $1,800,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. The behavioral health institute shall develop and disseminate model programs and curricula to address the treatment needs of individuals with substance use disorders and cooccurring disorders. The behavioral health institute shall provide consultation and training to behavioral health agencies in order to improve the delivery of evidence-based and promising practices and overall quality of care. Training for providers may include technical assistance related to payment models, integration of peers, team-based care, utilization reviews, care transitions, and the infusion of recovery and resiliency into programming and culture. Additionally, the behavioral health institute shall provide continued access to telehealth training and support, including innovative digital health content. The behavioral health institute shall evaluate behavioral health inequities in Washington and create a center of excellence to address behavioral health inequity, including the need for a more diverse workforce. The behavioral health institute shall offer an annual conference on race, equity, and social justice and create a learning management system to provide access to training for publicly funded behavioral health providers across a range of topics. Specific curricula to be developed within the amounts provided in this subsection must include:

(a) A training for law enforcement officers focused on understanding substance use disorder and the recovery process and options and procedures for diversion from the criminal legal system for individuals with substance use disorder, to be developed in consultation with the criminal justice training commission; and

(b) A curriculum for correctional officers and community corrections officers focused on motivational interviewing, recovery coaching, and trauma informed care, developed in consultation with the department of corrections.

((~~(50)~~)) (51) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to the north sound behavioral health administrative services organization to provide trauma-informed counseling services to children and youth in Whatcom county schools. The services must be provided by licensed behavioral health professionals who have training in the provision of trauma-informed care. The behavioral health administrative services organization must request, from the office of the superintendent of public instruction, a listing of the Whatcom county schools that are eligible for high-poverty allocations from the learning assistance program and prioritize services in these schools.

((~~(51)~~)) (52) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided on a one-time basis solely for the authority to contract with the north sound behavioral health administrative services organization to establish the Whatcom county crisis stabilization center as a pilot project for diversion from the criminal justice system to appropriate community based treatment. The pilot shall allow for police officers to place involuntary holds for up to 12 hours for persons placed at the facility in accordance with RCW 10.31.110. The amounts provided must be used to pay for the cost of services at the site not covered under the medicaid program. The authority must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2022, including the following information:

(a) The total number of individuals served in the crisis stabilization center broken out by those served on a voluntary basis versus those served under involuntary treatment holds placed pursuant to RCW 10.31.110;

(b) A summary of the outcomes for each of the groups identified in (a) of this subsection; and

(c) Identification of methods to incentivize or require managed care organizations to implement payment models for crisis stabilization providers that recognize the need for the facilities to operate at full staffing regardless of fluctuations in daily census.

((~~(52)~~)) (53) $1,250,000 of the general fund—state appropriation for fiscal year 2022 and $1,250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program and submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2021, on the status of these efforts and the associated savings in state funds.

((~~(53) $1,762,000~~)) (54) $881,000 of the general fund—((~~federal~~)) state appropriation ((~~is~~)) for fiscal year 2022 and $881,000 of the general fund—state appropriation for fiscal year 2023 are provided on a one-time basis solely for maintaining and increasing resources for peer support programs and for the authority to contract with an organization to assist with the recruitment of individuals to work as behavioral health peers with a specific focus on black, indigenous, and people of color communities. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature on the status of these efforts by December 1, 2021, and a final report including identification of the number and demographics of individuals recruited into behavioral health peer positions by December 1, 2022.

((~~(54)~~)) (55) $250,000 of the general fund—federal appropriation is provided solely for the authority to provide crisis response training to behavioral health peer specialists. The authority must use these amounts to contract for the development of a specialized 40 hour crisis response training curriculum for behavioral health peer specialists and to conduct a minimum of one statewide training session during fiscal year 2022 and one statewide training session during fiscal year 2023. The training shall focus on preparing behavioral health peer specialists to work with individuals in crisis, including providing peer services in emergency departments, as coresponders with law enforcement, and as part of mobile crisis teams. The training sessions must be offered free of charge to the participants and may be offered either virtually or in person as determined by the authority. By December 1, 2022, the authority must submit a report to the office of financial management and the appropriate committees of the legislature on the peer crisis response curriculum and the number of individuals that received training.

((~~(55)~~)) (56) $500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington alcohol and drug abuse institute to develop policy solutions in response to the public health challenges of high tetrahydrocannabinol potency cannabis. The institute must use this funding to: Conduct individual interviews with stakeholders and experts representing different perspectives, facilitate joint meetings with stakeholders to identify areas of common ground and consensus, and develop recommendations for state policies related to cannabis potency and mitigating detrimental health impacts. The authority must submit the following reports to the office of financial management and the appropriate committees of the legislature:

(a) An initial report must be submitted by December 31, 2021, and shall summarize progress made to date, preliminary policy recommendations, and next steps; and

(b) A final report must be submitted by December 31, 2022, and shall summarize the analysis conducted by the institute, the process and stakeholders involved, an inventory of relevant cannabis policies in other states, and recommendations for policy changes to reduce the negative impacts of high potency cannabis in Washington state.

((~~(56)~~)) (57) $8,197,000 of the general fund—state appropriation for fiscal year 2022, $8,819,000 of the general fund—state appropriation for fiscal year 2023, and $38,025,000 of the general fund—federal appropriation are provided solely to continue in the 2021-2023 fiscal biennium the two percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations that was provided in April 2021. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a two percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health inpatient, residential, and outpatient providers receiving payment for services under this section contracted through the medicaid managed care organizations.

((~~(57)~~)) (58) $18,066,000 of the general fund—state appropriation for fiscal year 2023 and $35,182,000 of the general fund—federal appropriation are provided solely to implement a seven percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2023. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a seven percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations.

(59) $114,000 of the general fund—state appropriation for fiscal year 2022, $114,000 of the general fund—state appropriation for fiscal year 2023, and $228,000 of the general fund—federal appropriation are provided solely to increase rates for community children's long-term inpatient program providers by two percent effective July 1, 2021.

((~~(58)~~)) (60) $117,000 of the general fund—state appropriation for fiscal year 2022, $117,000 of the general fund—state appropriation for fiscal year 2023, and $168,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by two percent effective July 1, 2021.

((~~(59)~~)) (61) $200,000 of the general fund—state appropriation for fiscal year 2022, $200,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$200,000~~)) $400,000 of the general fund—federal appropriation are provided solely to support actuarial work required for the authority to develop behavioral health comparison rates.

((~~(60)~~)) (62) $205,000 of the general fund—state appropriation for fiscal year 2022 and $205,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to contract with the Washington state behavioral health institute to engage consumers, the University of Washington evidence based practice institute, and other stakeholders to review current and emerging data and research and make recommendations regarding best practices for virtual behavioral health services to children from prenatal stages through age 25. This work shall focus on the development of services and supports that deliver clinically-effective outcomes for children and families and identify safeguards for "in-person," "audio-video," and "audio only" modes. The review conducted by the institute shall include the collection and analysis of data about clinical efficacy of behavioral health services and supports through virtual modes and methods for determining and maximizing the health benefits of the different modes. The authority shall submit data required for this research to the behavioral health institute in accordance with federal and state laws regarding client protected information. The department shall submit the following reports to the office of financial management and the appropriate committees of the legislature:

(a) A preliminary report on the 2022 workplan by December 31, 2021;

(b) An initial report with recommendations for standards of care and best practices for behavioral health services by June 30, 2022; and

(c) A final report with additional refined recommendations and a research agenda and proposed budget for fiscal year 2024 and beyond by December 31, 2022.

((~~(61)~~)) (63) The authority must claim the enhanced federal medical assistance participation rate for home and community-based services offered under section 9817 of the American rescue plan act of 2021 (ARPA). Appropriations made that constitute supplementation of home and community-based services as defined in section 9817 of ARPA are listed in LEAP omnibus document HCBS-2021.

((~~(62)~~)) (64) $150,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. Beginning in July 2022, the authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to Engrossed Second Substitute House Bill No. 1086 (behavioral health consumers).

((~~(63)~~)) (65) $5,000,000 of the general fund—federal appropriation is provided solely for the authority to maintain funding for grants to law enforcement assisted diversion programs outside of King county established pursuant to chapter 314, Laws of 2019 (SSB 5380). By December 1, 2023, the authority, in coordination with the law enforcement assisted diversion national support bureau, must collect information and submit a report to the office of financial management and the appropriate committees of the legislature on the grant program including a description of the program model or models used and the number, demographic information, and measurable outcomes of the individuals served with the funding provided under this subsection.

((~~(64)~~)) (66) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to contract with a statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the services available in their communities.

((~~(65)~~)) (67) $13,374,000 of the general fund—state appropriation for fiscal year 2022, $12,474,000 of the general fund—state appropriation for fiscal year 2023, and $12,731,000 of the general fund—federal appropriation are provided solely for increasing local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that a minimum of six new children and youth mobile crisis teams are created and that there is one children and youth mobile crisis team in each region by the end of fiscal year 2022.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

((~~(66) $42,987,000~~)) (68) $29,671,000 of the general fund—state appropriation for fiscal year 2022, ((~~$57,253,000~~)) $37,628,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$80,040,000~~)) $44,606,000 of the general fund—federal appropriation are provided solely for the department to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2022 and fiscal year 2023 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at $940 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall increase the fiscal year 2021 rate by three percent each year of the biennium.

(f) Beginning in fiscal year 2023, provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

(g) The legislature intends to recognize the additional costs associated with student teaching related to long-term civil commitment patients to be provided in a new teaching hospital expected to open during the 2023-2025 fiscal biennium.

(h) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must develop and implement a plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2021, and submit a status update on the implementation plan by October 15, 2022.

((~~(67)~~)) (69)(a) $31,000,000 of the ((~~general fund—federal appropriation (CSFRF)~~)) coronavirus state fiscal recovery fund—federal appropriation is provided on a one-time basis solely for the authority to provide assistance payments to behavioral health providers serving medicaid and state-funded clients. In prioritizing the allocation of this funding, the authority must take the following into account:

(i) The differential impact the pandemic has had on different types of providers;

(ii) Other state and federal relief funds providers have received or are eligible to apply for; and

(iii) Equitable distribution of assistance including consideration of geographic location and providers serving members of historically disadvantaged communities.

(b) To be eligible for assistance, the behavioral health providers must:

(i) Have experienced lost revenue or increased expenses that are a result of the COVID-19 public health emergency;

(ii) Self–attest that the lost revenue or expenses are not funded by any other government or private entity;

(iii) Agree to operate in accordance with the requirements of applicable federal, state, and local public health guidance and directives; and

(iv) Agree to comply with federal guidance on the use of coronavirus state and local fiscal recovery funds.

(c) Provider assistance is subject to the availability of amounts provided in this subsection.

((~~(68)~~)) (70)(a) $375,000 of the general fund—state appropriation for fiscal year ((~~2021~~)) 2022 and $375,000 of the general fund—state appropriation for fiscal year ((~~2022~~)) 2023 are provided solely for a one-time grant to Island county to fund a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

(i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;

(ii) School based behavioral health education, assessment, and brief treatment;

(iii) Screening and referral of children and youth to long-term treatment services;

(iv) Behavioral health supports provided by community agencies serving youth year-round;

(v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;

(vi) Peer support services; and

(vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit the following reports to the legislature:

(i) By December 1, 2022, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2022; and

(ii) By December 1, 2023, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2023.

((~~(69)~~)) (71) State general fund appropriations in this section and in sections 219 and 221 of this act are made to address the harms caused to the state and its citizens by the opioid epidemic, and these include appropriations of $13,466,000 attributable to the settlement in *State v. McKinsey & Co., Inc.*

((~~(70)~~)) (72) $260,000 of the general fund—state appropriation for fiscal year 2022, $3,028,000 of the general fund—state appropriation for fiscal year 2023, and $3,028,000 of the general fund—federal appropriation are provided solely for the authority to contract for a twelve bed children's long-term inpatient program facility specializing in the provision of habilitative mental health services for children and youth with intellectual or developmental disabilities who have intensive behavioral health support needs. The authority must provide a report to the office of financial management and the appropriate committees of the legislature providing data on the demand and utilization of this facility by June 30, 2023.

((~~(71)~~)) (73) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to continue the University of Washington's project extension for community health care outcomes (ECHO) for:

(a) Telecommunication consultation with local physicians to discuss medications appropriate to patients who have developmental disabilities and behavioral issues; and

(b) Training to both behavioral health and developmental disabilities professionals to support individuals with both developmental disabilities and behavioral health needs.

((~~(72) No more than $1,535,000~~)) (74) $1,991,000 of the general fund—federal appropriation and ((~~$810,000~~)) $1,147,000 of the general fund—local appropriation ((~~may be expended~~)) are provided solely for supported housing and employment services described in initiative 3a and 3b of the ((~~medicaid transformation~~)) 1115 demonstration waiver ((~~under healthier Washington~~)). Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third-party administrator. The department and the authority, in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures ((~~under this initiative~~)) above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all ((~~of the~~)) expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

((~~(73)~~)) (75) $396,000 of the general fund—state appropriation for fiscal year 2022, $329,000 of the general fund—state appropriation for fiscal year 2023, and $3,153,000 of the general fund—federal appropriation are provided solely to support the administrative costs associated with the application and implementation of a federal waiver allowing for full federal participation in mental health treatment facilities identified as institutions of mental diseases.

((~~(74)~~)) (76)(a) $150,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the authority to convene a work group to develop a recommended teaching clinic enhancement rate for behavioral health agencies training and supervising students and those seeking their certification or license. This work should include: Developing standards for classifying a behavioral health agency as a teaching clinic; a cost methodology to determine a teaching clinic enhancement rate; and a timeline for implementation. The work group must include representatives from:

(i) The department of health;

(ii) The office of the governor;

(iii) The Washington workforce training and education board;

(iv) The Washington council for behavioral health;

(v) Licensed and certified behavioral health agencies; and

(vi) Higher education institutions.

(b) By October 15, 2021, the health care authority must submit a report of the work group's recommendations to the governor and the appropriate committees of the legislature.

((~~(75)~~)) (77) $343,000 of the general fund—state appropriation for fiscal year 2022, $344,000 of the general fund—state appropriation for fiscal year 2023, and $687,000 of the general fund—federal appropriation are provided solely for increasing services to pregnant and parenting women provided through the parent child assistance program.

((~~(76)~~)) (78) $130,000 of the general fund—state appropriation for fiscal year 2022 and $130,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for maintaining and increasing the capabilities of a tool to track medication assisted treatment provider capacity.

((~~(77)~~)) (79) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to support substance use disorder family navigators across the state.

((~~(78)~~)) (80) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to support recovery cafes across the state.

((~~(79)~~)) (81) $69,000 of the general fund—state appropriation for fiscal year 2022, $63,000 of the general fund—state appropriation for fiscal year 2023, and $198,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5071 (civil commitment transition). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(80)~~)) (82) $200,000 of the general fund—state appropriation for fiscal year 2022, $195,000 of the general fund—state appropriation for fiscal year 2023, and $755,000 of the general fund—federal appropriation are provided solely for a grant program to award funding to fire departments in the state of Washington to implement safe station pilot programs. Programs that combine the safe station approach with fire department mobile integrated health programs such as the community assistance referral and education services program under RCW 35.21.930 are encouraged. Certified substance use disorder peer specialists may be employed in a safe station pilot program if the authority determines that a plan is in place to provide appropriate levels of supervision and technical support. Safe station pilot programs shall collaborate with behavioral health administrative services organizations, local crisis providers, and other stakeholders to develop a streamlined process for referring safe station clients to the appropriate level of care. Funding for pilot programs under this subsection shall be used for new or expanded programs and may not be used to supplant existing funding.

((~~(81)~~)) (83) $71,000 of the general fund—state appropriation for fiscal year 2022, $66,000 of the general fund—state appropriation for fiscal year 2023, and $136,000 of the general fund—federal appropriation are provided solely for the implementation of Second Substitute Senate Bill No. 5195 (opioid overdose medication). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(82)~~)) (84) $150,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the authority to evaluate options for a medicaid waiver to provide respite care for youth with behavioral health challenges while avoiding adverse impacts with respite waivers at the department of social and health services developmental disabilities administration and the department of children, youth, and families.

((~~(83)~~)) (85) $2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

((~~(84)~~)) (86) $375,000 of the general fund—state appropriation for fiscal year 2022 and $375,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to the city of Arlington in partnership with the North County regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

((~~(85)~~)) (87) $26,000 of the general fund—state appropriation for fiscal year 2022, $26,000 of the general fund—state appropriation for fiscal year 2023, and $48,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Substitute House Bill No. 1196 (audio only telemedicine). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(86)~~)) (88) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Substitute Senate Bill No. 5073 (involuntary commitment). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(87) $2,834,000~~)) (89) $600,000 of the general fund—state appropriation for fiscal year 2022, $5,229,000 of the general fund—state appropriation for fiscal year 2023, and ((~~$1,813,000~~)) $3,096,000 of the general fund—federal appropriation are provided solely for the authority to administer and contract for two distinct 16 bed programs in a facility located in Clark county to provide long-term inpatient care beds as defined in RCW 71.24.025. The beds must be used to provide treatment services for individuals who have been involuntarily committed to long-term inpatient treatment pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The authority, in coordination with the department of social and health services, must develop and implement a protocol to assess the risk of patients being considered for placement in this facility and determine whether the level of security and treatment services is appropriate to meet the patient's needs. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2022, providing a description of the protocol and a status update on progress toward opening the new facility.

(90) $20,042,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for belated claims for services rendered to medicaid eligible clients admitted to institutions of mental disease prior to fiscal year 2022 that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

(91) $8,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority, in coordination with the department of health, to purchase and distribute opioid overdose reversal medications. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power.

(92) $4,550,000 of the general fund—state appropriation for fiscal year 2023 and $12,300,000 of the general fund—federal appropriation are provided solely for a transition to medicare rates and bundled payment arrangement methodology for opioid treatment providers. This increase is effective January 1, 2023, and payment shall include coverage for those items identified as covered by the medicare benefit.

(93) $2,387,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to support the creation of a bridge period for individuals also enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

(94) $490,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to create a master leasing incentive program with specific emphasis on *Trueblood* programs. The authority shall also create a toolkit for use by landlords serving special populations. The authority and department of commerce shall collaborate on this effort.

(95) $6,027,000 of the general fund—state appropriation for fiscal year 2023 and $2,009,000 of the general fund—federal appropriation are provided solely to create and expand access to no barrier, low-barrier, and transitional housing programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort.

(96) $775,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to create a rental voucher and bridge program and implement strategies to reduce instances where an individual leaves a state hospital or private behavioral health provider directly into homelessness.

(97) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for clients aged prenatal through 25, and their families. The authority shall submit a report to the appropriate committees of the legislature and the office of the governor by November 1, 2022, detailing recommendations made by the work group to improve services for clients aged prenatal through 25.

(98) $10,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for bridge funding grants to community behavioral health agencies participating in federal certified community behavioral health clinic expansion grant programs to sustain their continued level of operations following expiration of federal grant funding during the planning process for adoption of the certified community behavioral health clinic model statewide.

(99) $100,000 of the general fund—state appropriation for fiscal year 2023 and $100,000 of the general fund—federal appropriation is provided solely for the authority to study alternate payment and service delivery models, including the certified community behavioral health clinic (CCBHC) model. The authority must submit a report to the health care and fiscal committees of the legislature by December 1, 2022, and must include:

(a) Overviews of alternate payment models;

(b) An analysis of the impact of expanding alternate payment models on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement alternate payment models under those regulations;

(d) Options for payment rate designs; and

(e) An analysis of the benefits and potential challenges in integrating the CCBHC reimbursement model within an integrated managed care environment.

(100) $5,292,000 of the general fund—state appropriation for fiscal year 2023 and $5,292,000 of the general fund—federal appropriation are provided solely for the department to increase contracted beds for children's long-term inpatient services.

(101) $12,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute Senate Bill No. 5664 (forensic competency programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(102) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of fentanyl.

(103) $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to contract with worldbridgers for a peer workforce expansion pilot project to increase certified peer support counselors in Clark county.

(104) $628,000 of the general fund—state appropriation for fiscal year 2022, $3,371,000 of the general fund—state appropriation for fiscal year 2023, and $2,430,000 of the general fund—federal appropriation are provided solely for funding to operate crisis stabilization facilities in King and Spokane counties pursuant to the *Trueblood v. DSHS* settlement agreement.

(105) $250,000 of the general fund—state appropriation for fiscal year 2022 and $956,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the authority to expand eligibility to the wraparound with intensive service (WISe) program to undocumented immigrant and refugee children ineligible for federally funded medicaid benefits pursuant to the *AGC v. Washington state health care authority* settlement agreement.

(106) $48,000 of the general fund—state appropriation for fiscal year 2023 and $49,000 of the general fund—federal appropriation are provided solely for the authority to create a short-term residential crisis stabilization program (RCSP) for youth with severe behavioral health diagnoses. It is the intent of the legislature to fund the contracted costs of these facilities beginning in the 2023-2025 fiscal biennium.

(107) $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

(108) $1,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to contract to provide startup costs for a licensed youth residential psychiatric substance abuse and mental health agency located in Clark and Spokane counties for reopening evaluation and treatment units, increasing staff capacity, treating patients with cooccurring substance use and acute mental health disorders, and expanding outpatient services for young adults ages 18 to 24.

(109) $100,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the authority to provide workforce stabilization grant funds to behavioral health agencies serving medicaid and state-funded clients to address the current workforce crisis and loss of access in community behavioral health as a bridge to increased behavioral health medicaid rates funded in subsection (58) of this section. These funds must be distributed to all nonhospital inpatient, residential, and outpatient licensed or certified behavioral health agencies receiving payment for medicaid services contracted through the medicaid managed care organizations and/or behavioral health administrative service organizations.

(a) In implementing the allocation of this funding, the authority must prioritize grant funding for staff compensation increases and retention and signing incentives to promote increased employee recruitment and retention. Funds may also be used to support other needed investments to help stabilize the community behavioral health workforce including, but not limited to, childcare stipends, student loan repayment, tuition assistance, relocation expenses, or other recruitment efforts to begin adding new staff and rebuilding lost capacity.

(b) To expedite prompt and fair distribution, the authority shall use a formula-based allocation method proportional to provider medicaid claims data under this section and shall distribute funds directly to providers.

(c) Prior to the receipt of funds, providers must agree to expend these grants by June 30, 2023. The authority may impose additional requirements to ensure that the state receives adequate consideration for funding distributed in this subsection.

(d) By March 31, 2023, the authority must submit a report to the office of financial management and the appropriate committees of the legislature which includes detail on how the workforce stabilization funds were used for employee recruitment and retention.

(110) $3,232,000 of the general fund—state appropriation for fiscal year 2023 and $2,250,000 of the general fund—federal appropriation are provided solely for the authority to contract with opioid treatment providers to purchase five mobile methadone units and to contract for the operations of those units to fill treatment gaps statewide.

(111)(a) $290,000 of the general fund—state appropriation for fiscal year 2023 and $58,000 of the general fund—federal appropriation are provided solely for a task force on individuals who experience refusals of service for involuntary behavioral health treatment and then are referred to our state hospitals for forensic competency evaluation and restoration services, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The health care authority shall appoint the following members:

(A) The director of the health care authority or his or her designee;

(B) The secretary of the department of social and health services or his or her designee;

(C) The chief executive officer of western state hospital or his or her designee;

(D) The chief executive officer of eastern state hospital or his or her designee;

(E) The Washington state attorney general or his or her designee;

(F) Two individuals with lived experience of involuntary civil commitment for behavioral health;

(G) Two individuals with lived experience as a family member of a person who experienced involuntary civil commitment for behavioral health;

(H) A representative of:

(I) The Washington state hospital association;

(II) The Washington designated crisis responder association;

(III) Behavioral health administrative services organizations;

(IV) King county;

(V) Spokane county;

(VI) The Washington association of prosecuting attorneys;

(VII) The Washington defender association; and

(VIII) A services provider for forensically involved individuals; and

(I) Up to two members from the state hospital employees exclusive bargaining unit representative, at least one of whom must have direct experience working with patients at state hospitals who have a history of violence.

(b) The task force shall choose as its cochairs one person from among its legislative members and one person from among its executive branch members. The health care authority shall convene the first meeting of the task force by June 30, 2022.

(c) The task force shall review the following issues in terms of those individuals who have a history of one or more acts of violence:

(i) Solutions to provide appropriate treatment for persons who experience difficulty obtaining placement in local evaluation and treatment facilities or secure withdrawal management and stabilization facilities due to a history of one or more violent acts as that term is defined under chapter 71.05 RCW; and

(ii) Acceptable procedures for obtaining needed medical clearance for involuntary treatment with a goal to reduce or avoid the use of emergency departments.

(d) Staff support for the task force must be provided by the health care authority.

(e) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(f) Task force expenditures for legislative members are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(g) The task force shall report preliminary findings and recommendations to the governor and appropriate committees of the legislature by October 15, 2022, and issue its final recommendations to the governor and appropriate committees of the legislature by December 1, 2022.

(112) $3,990,000 of the general fund—state appropriation for fiscal year 2023 is provided solely with the downtown emergency service center to contract for three behavioral health response teams in King county. These teams must collaborate with regional outreach teams and agencies throughout King county and follow up with individuals after an acute crisis episode for up to three months to establish long-term community linkages and referrals to behavioral health treatment.

(113) $759,000 of the general fund—state appropriation for fiscal year 2023 and $759,000 of the general fund—federal appropriation are provided solely for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

(114) $2,850,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to contract with the King county behavioral health administrative services organization to increase the number of mobile crisis teams in the county and to increase the service delivery capability of the mobile crisis system in the county.

**Sec.**  2021 c 334 s 216 (uncodified) is amended to read as follows:

**FOR THE HUMAN RIGHTS COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$2,946,000~~))

$3,214,000

General Fund—State Appropriation (FY 2023) ((~~$2,966,000~~))

$3,603,000

General Fund—Federal Appropriation ((~~$2,572,000~~))

$2,715,000

TOTAL APPROPRIATION ((~~$8,484,000~~))

$9,532,000

The appropriations in this section are subject to the following conditions and limitations: $1,000 of the general fund—state appropriation for fiscal year 2022 and $1,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Senate Bill No. 5027 (television closed captions). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~ ))

**Sec.**  2021 c 334 s 217 (uncodified) is amended to read as follows:

**FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Worker and Community Right to Know Fund—State

Appropriation $10,000

Accident Account—State Appropriation ((~~$24,093,000~~))

$25,185,000

Medical Aid Account—State Appropriation ((~~$24,090,000~~))

$25,183,000

TOTAL APPROPRIATION ((~~$48,193,000~~))

$50,378,000

The appropriations in this section are subject to the following conditions and limitations: $12,000 of the accident account—state appropriation and $10,000 of the medical aid account—state appropriation are provided solely for the implementation of Engrossed Substitute House Bill No. 1097 (worker safety pandemic response). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~ ))

**Sec.**  2021 c 334 s 218 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$34,677,000~~))

$38,732,000

General Fund—State Appropriation (FY 2023) ((~~$34,509,000~~))

$49,662,000

General Fund—Private/Local Appropriation ((~~$5,961,000~~))

$8,016,000

Death Investigations Account—State Appropriation ((~~$1,216,000~~))

$1,598,000

Municipal Criminal Justice Assistance Account—State

Appropriation $460,000

Washington Auto Theft Prevention Authority Account—

State Appropriation ((~~$7,167,000~~))

$10,667,000

Washington Internet Crimes Against Children Account—

State Appropriation $2,270,000

24/7 Sobriety Account—State Appropriation $20,000

TOTAL APPROPRIATION ((~~$84,010,000~~))

$111,425,000

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

(1) $5,000,000 of the general fund—state appropriation for fiscal year 2022 and $5,000,000 of the general fund—state appropriation for fiscal year 2023, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) ((~~$1,504,000~~)) $3,393,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,513,000~~)) $5,317,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for 75 percent of the costs of providing ((~~five~~)) four and one-half additional statewide basic law enforcement trainings in ((~~each~~)) fiscal year 2022 and eight and one-half additional statewide basic law enforcement trainings in fiscal year 2023 bringing total classes to 19.5 in fiscal year 2022 and 23.5 in fiscal year 2023. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

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

(4) ((~~$429,000 of the general fund—state appropriation for fiscal year 2022 and $429,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expenditure into the nonappropriated Washington internet crimes against children account~~)) $2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) ((~~$5,000,000~~)) $4,000,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$5,000,000~~)) $4,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute $7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services*, et. al., U.S. District Court-Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) $899,000 of the general fund—state appropriation for fiscal year 2022 and $899,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services*, et. al., U.S. District Court-Western District, Cause No. 14-cv-01178-MJP.

(7) ((~~$1,216,000~~)) $1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) $13,000 of the general fund—state appropriation for fiscal year 2022, $26,000 of the general fund—state appropriation for fiscal year 2023, and $12,000 of the general fund—local appropriation are provided solely for an increase in vendor rates on the daily meals provided to basic law enforcement academy recruits during their training.

(9)(a) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement chapter 378, Laws of 2019 (alternatives to arrest/jail).

(b) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for evaluation of grant-funded programs under chapter 378, Laws of 2019 (alternatives to arrest/jail).

(10) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington association of sheriffs and police chiefs to administer the sexual assault kit initiative project under RCW 36.28A.430, to assist multidisciplinary community response teams seeking resolutions to cases tied to previously unsubmitted sexual assault kits, and to provide support to survivors of sexual assault offenses. The commission must report to the governor and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations by June 30, 2022, on the number of sexual assault kits that have been tested, the number of kits remaining to be tested, the number of sexual assault cases that had hits to other crimes, the number of cases that have been reinvestigated, the number of those cases that were reinvestigated using state funding under this appropriation, and the local jurisdictions that were a recipient of a grant under the sexual assault kit initiative project.

(11) $20,000 of the general fund—state appropriation for fiscal year 2022 and $20,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a helmet distribution program in order to reduce traumatic brain injuries throughout the state. Of these amounts:

(a) $10,000 of the general fund—state appropriation for fiscal year 2022 and $10,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to the Washington fire chiefs association to provide helmets to persons contacted by an official of a local fire department for not wearing a helmet while riding a skateboard or bicycle; and

(b) $10,000 of the general fund—state appropriation for fiscal year 2022 and $10,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the Washington association of sheriffs and police chiefs to distribute to local law enforcement agencies to provide helmets to persons contacted by an official of a local law enforcement agency for not wearing a helmet while riding a skateboard or bicycle.

(12) $307,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for chapter 294, Laws of 2020 (critical stress management programs).

(13) $727,000 of the general fund—state appropriation for fiscal year 2022, $727,000 of the general fund—state appropriation for fiscal year 2023, and $248,000 of the general fund—local appropriation are provided solely for chapter 119, Laws of 2020 (correctional officer certification).

(14) $406,000 of the general fund—state appropriation for fiscal year 2022 and $408,000 of the general fund—state appropriation for fiscal year 2023 are provided to the Washington association of sheriffs and police chiefs solely to establish a behavioral health support and suicide prevention program for law enforcement officers. The program will begin with grants to three pilot locations and will leverage access to mental health professionals, critical stress management, and resiliency training.

(15) $1,883,000 of the general fund—state appropriation for fiscal year 2022 and $1,986,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5051 (peace officer oversight). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(16) $474,000 of the general fund—state appropriation for fiscal year 2022 and $446,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5066 (officer duty to intervene). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(17) $151,000 of the general fund—state appropriation for fiscal year 2022 and $148,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to support the participation of the Washington association of sheriffs and police chiefs in the joint legislative task force on jail standards created in section 957 of this act.

(18) $374,000 of the general fund—state appropriation for fiscal year 2022 and $296,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute House Bill No. 1267 (office of independent investigations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(19) $31,000 of the general fund—state appropriation for fiscal year 2022 and $31,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Substitute House Bill No. 1088 (impeachment disclosures). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(20) $269,000 of the general fund—state appropriation for fiscal year 2022 and $261,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of House Bill No. 1001 (law enforcement professional development). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(21) $25,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Engrossed Substitute House Bill No. 1054 (peace officer tactics and equipment). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(22) $40,000 of the general fund—state appropriation for fiscal year 2022 and $40,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1310 (use of force). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(23) $25,000 of the general fund—state appropriation for fiscal year 2022 and $25,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(24) $30,000 of the general fund—state appropriation for fiscal year 2022 and $30,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(25) $2,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) $1,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission to provide grants to local law enforcement agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(26) $184,000 of the general fund—state appropriation for fiscal year 2022 and $185,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the hiring of an assistant director for the criminal justice training commission certification unit.

(27) $290,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(28) $1,575,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to the Washington association of sheriffs and police chiefs to distribute to local law enforcement agencies for training of chapter 324, Laws of 2021 (permissible uses of force).

(29) $2,150,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to the Washington association of sheriffs and police chiefs to distribute to local law enforcement agencies for training of chapter 321, Laws of 2021 (duty to intervene).

(30) $525,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to the Washington association of sheriffs and police chiefs to distribute to local law enforcement agencies for training required under Substitute House Bill No. 1735 (use of force by peace officers). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(31) $1,050,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to the Washington association of sheriffs and police chiefs to distribute to local law enforcement agencies for training required under Engrossed Substitute House Bill No. 2037 (use of force by peace officers). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(32) $525,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to the Washington association of sheriffs and police chiefs to distribute to local law enforcement agencies for training required under Engrossed Senate Bill No. 5919 (use of force by peace officers). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 219 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS**

General Fund—State Appropriation (FY 2022) ((~~$7,063,000~~))

$8,487,000

General Fund—State Appropriation (FY 2023) ((~~$12,657,000~~))

$15,621,000

TOTAL APPROPRIATION ((~~$19,720,000~~))

$24,108,000

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

(1) The appropriations in this section are provided solely for the implementation of Engrossed Substitute House Bill No. 1267 (establishing an office of independent investigations), to create an office within the office of the governor for the purposes of investigating deadly force incidents involving peace officers. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(2) $1,295,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for contracting with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) $1,173,000 of the general fund—state appropriation for fiscal year 2022 and $1,148,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the purchase of information technology equipment.

(4) $251,000 of the general fund—state appropriation for fiscal year 2022 and $251,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

**Sec.**  2021 c 334 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund—State Appropriation (FY 2022) ((~~$13,752,000~~))

$12,067,000

General Fund—State Appropriation (FY 2023) ((~~$15,492,000~~))

$38,922,000

General Fund—Federal Appropriation ((~~$11,876,000~~))

$20,839,000

Asbestos Account—State Appropriation ((~~$573,000~~))

$599,000

Electrical License Account—State Appropriation ((~~$56,707,000~~))

$59,319,000

Farm Labor Contractor Account—State Appropriation $28,000

Worker and Community Right to Know Fund—State

Appropriation ((~~$1,000,000~~))

$1,065,000

Construction Registration Inspection Account—State

Appropriation ((~~$28,947,000~~))

$30,255,000

Public Works Administration Account—State

Appropriation ((~~$9,352,000~~))

$11,224,000

Manufactured Home Installation Training Account—

State Appropriation ((~~$395,000~~))

$425,000

Accident Account—State Appropriation ((~~$366,060,000~~))

$382,497,000

Accident Account—Federal Appropriation ((~~$16,047,000~~))

$16,072,000

Medical Aid Account—State Appropriation ((~~$366,663,000~~))

$381,474,000

Medical Aid Account—Federal Appropriation ((~~$3,608,000~~))

$3,617,000

Plumbing Certificate Account—State Appropriation ((~~$3,316,000~~))

$3,486,000

Pressure Systems Safety Account—State Appropriation ((~~$4,582,000~~))

$4,811,000

TOTAL APPROPRIATION ((~~$898,398,000~~))

$966,700,000

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

(1) ((~~$8,551,000~~)) $4,363,000 of the accident account—state appropriation and ((~~$8,551,000~~)) $4,363,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit a report by August 1, 2021, on the quantifiable deliverables accomplished in fiscal years 2020 and 2021 and the amount spent by each deliverable in each of the following subprojects:

(i) Business readiness;

(ii) Change readiness;

(iii) Commercial off the shelf procurement;

(iv) Customer access;

(v) Program foundations;

(vi) Independent assessment; and

(vii) In total by fiscal year;

(b) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2021, on:

(i) All of the quantifiable deliverables accomplished by subprojects identified in (a)(i) through (vi) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(ii) The contract full time equivalent charged by subprojects identified in (a)(i) through (vi) of this subsection, and in total, compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a)(i) through (vi) of this subsection, and in total, assumes by fiscal month;

(iii) The performance metrics by subprojects identified in (a)(i) through (vi) of this subsection, and in total, that are currently used, including monthly performance data; and

(iv) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

(A) Has mitigated each risk; and

(B) Is working to mitigate each risk, and when it will be mitigated;

(c) Submit the reports in (a) and (b) of this subsection to fiscal and policy committees of the legislature; and

(d) Receive an additional gated project sign off by the office of financial management, effective September 1, 2021. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the ((~~reporting data provided each quarter~~)) project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) $250,000 of the medical aid account—state appropriation and $250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2022 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) $258,000 of the accident account—state appropriation and $258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2021, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4)(a) $2,000,000 of the general fund—state appropriation for fiscal year 2022 and $2,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;

(iii) Curriculum development and instructor training for industry experts;

(iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.

(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) $3,632,000 of the accident account—state appropriation and $876,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) $2,849,000 of the construction registration inspection account—state appropriation, $152,000 of the accident account—state appropriation, and $31,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(7) ((~~$4,380,000~~)) (a) $4,044,000 of the medical aid account—state appropriation is provided solely for the implementation of the provider credentialing system project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) $336,000 of the medical aid account—state appropriation is provided solely for the maintenance and operation of the provider credentialing project.

(8) $530,000 of the accident account—state appropriation and $94,000 of the medical aid account—state appropriation are provided solely for the department to conduct infectious disease rule making to ensure the state has general guidelines to follow in the case of an infectious disease outbreak and to provide education and outreach.

(9) $334,000 of the accident account—state appropriation and $60,000 of the medical aid account—state appropriation are provided for the maintenance and operating costs of the isolated worker protection information technology project.

(10) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit a report of its findings to the governor and the appropriate committees of the legislature no later than October 1, 2023. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) $100,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, in order to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector, with the following deliverables:

(a) Peer-to-peer training and evaluation of sexual harassment training curriculum; and

(b) The building of a statewide network of peer trainers as farmworker leaders whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools.

(12) $150,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a work group to investigate how to make Washington's industrial insurance system easier to access for employers and hiring entities to provide industrial insurance coverage for domestic workers.

(a) Domestic workers include, but are not limited to: Housecleaners, nannies, gardeners, and day laborers, including but not limited to those who may perform maintenance or repair work in or about the private home of the employer or hiring entity.

(b) The work group shall make recommendations to the governor and appropriate legislative committees on legislative, regulatory, or other changes that would make the industrial insurance system easier for day laborers and their employers to access. This work group will also explore the possible role of intermediary nonprofit organizations that assist and refer domestic workers and day laborers.

(c) The work group shall be comprised of the following representatives, to be appointed by the governor by July 1, 2021:

(i) Two representatives who are directly impacted domestic workers who work for private home employers or hiring entities;

(ii) Two representatives who are directly impacted day laborers who work for private home employers or hiring entities;

(iii) Two representatives from unions, workers' centers, or intermediary nonprofit organizations that assist and/or refer such directly impacted workers;

(iv) Two employer or hiring entity representatives who directly employ or hire single domestic workers in private homes;

(v) One employer or hiring entity representative who directly employs or hires day laborers in a private home;

(vi) One representative from a nonprofit organization that educates and organizes household employers; and

(vii) Representatives from the department, serving in an ex officio capacity.

(d) The department shall convene the work group by August 1, 2021, and shall meet at least once every two months and may meet remotely in order to accommodate the involvement of domestic worker and day laborer representatives.

(e) The work group shall deliver its report and recommendations to the governor and the appropriate committees of the legislature no later than November 4, 2022.

(13) $237,000 of the accident account—state appropriation and $184,000 of the medical aid account—state appropriation are provided solely for costs associated with the implementation of Engrossed Substitute Senate Bill No. 5115 (health emergency/labor). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) ((~~$825,000~~)) $1,228,000 of the accident account—state appropriation and ((~~$620,000~~)) $217,000 of the medical aid account—state appropriation are provided solely for costs associated with the implementation of Engrossed Substitute Senate Bill No. 5172 (agricultural overtime). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(15) $760,000 of the general fund—state appropriation for fiscal year 2022 and $1,393,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5183 (nonfatal strangulation). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(16) $367,000 of the accident account—state appropriation and $366,000 of the medical aid account—state appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5190 (health care workers/benefits). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(17) $1,626,000 of the accident account—state appropriation and $288,000 of the medical aid account—state appropriation are provided solely for the purpose of providing a temporary 7.5 percent increase to the base rate of pay for the compliance field positions in the following job classifications: Safety and health specialist 3, safety and health specialist 4, industrial hygienist 3, and industrial hygienist 4, who are responsible for inspections, investigations, and enforcement related to the COVID-19 pandemic, not including consultation staff within these classifications. The increase shall be effective July 1, 2021, until June 30, 2023. Expenditure of the amount provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this subsection.

(18) $298,000 of the accident account—state appropriation and $53,000 of the medical aid account—state appropriation are provided solely for the implementation of Engrossed Substitute House Bill No. 1097 (increasing worker protections). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(19) $1,360,000 of the accident account—state appropriation and $240,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries, in coordination with the Washington state apprenticeship training council, to establish behavioral health apprenticeship programs. The behavioral health apprenticeship programs shall be administered by the Washington state apprenticeship training council. The amounts provided in this subsection must be used to compensate behavioral health providers for the incurred operating costs associated with the apprenticeship program, including apprentice compensation, staff support and supervision of apprentices, development of on-the-job training catalogs for apprentices, and provider incentives for implementing a behavioral health apprenticeship program. In awarding this funding, special preference must be given to small or rural behavioral health providers and those that serve higher percentages of individuals from black, indigenous, and people of color communities.

(20) $65,000 of the accident account—state appropriation and $66,000 of the medical aid account—state appropriation are provided solely for the implementation of Substitute House Bill No. 1455 (social security/L&I & ESD). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(21) $584,000 of the accident account—state appropriation and $584,000 of the medical aid account—state appropriation are provided solely for costs associated with staff overtime affiliated with the state emergency operations center. Prior to utilizing these funds, the department of labor and industries must collaborate with the military department to determine if any overtime costs may be eligible for reimbursement from the federal emergency management agency.

(22) $961,000 of the accident account—state appropriation and $169,000 of the medical aid account—state appropriation are provided solely for enhancements to the apprenticeship registration and tracking computer system to align data collection with federal regulations and to create functionality that allows for web-based document uploading. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(23) $350,000 of the accident account—state appropriation and $350,000 of the medical aid account—state appropriation are provided solely for the completion of the licensing and certification administrators IT project to meet the implementation requirements of chapter 277, Laws of 2020 (SHB 2409). This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(24) $94,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices.

(25) $616,000 of the public works administration account—state appropriation is provided solely to expand capacity to investigate and enforce prevailing-wage complaints.

(26) $794,000 of the public works administration account—state appropriation is provided solely for planning and requirements gathering to make system improvements to the prevailing wage program information technology system. Of the amount in this subsection, $300,000 is for two permanent information technology developers to maintain the system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(27) $2,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to create and administer a grant program intended to modernize the technology and remote learning infrastructure within existing state registered apprenticeship programs as provided in Engrossed Second Substitute Senate Bill No. 5600 (apprenticeship programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse. Grant applications must include a plan to sustain the investment over time. Up to five percent of the total amount provided in this subsection can be used to cover administrative expenses.

(28) $4,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to create and administer a grant program intended to upgrade apprenticeship program equipment to better replicate conditions on the job during the training of apprentices as provided in Engrossed Second Substitute Senate Bill No. 5600 (apprenticeship programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse. The grant program is limited to state registered apprenticeship programs. Up to five percent of the total within this subsection can be used to cover administrative expenses.

(29) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to create and administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in state registered apprenticeship programs as provided in Engrossed Second Substitute Senate Bill No. 5600 (apprenticeship programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse. Up to five percent of the amount provided in this subsection may be used to cover administrative expenses.

(30) $12,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for vouchers to cover the cost of driver's education courses for minors enrolled in a state registered apprenticeship program as provided in Engrossed Second Substitute Senate Bill No. 5600 (apprenticeship programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(31) $205,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to start conducting a four-year retention study of state registered apprentices as provided in Engrossed Second Substitute Senate Bill No. 5600 (apprenticeship programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse. The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees beginning June 30, 2023.

(32) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to explore requirements needed to create a centralized technical support system for new nontraditional apprenticeship programs to help applicants navigate and start the process.

(33) $207,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5814 (child abuse/medical evaluation). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(34) $191,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5600 (apprenticeship programs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(35) $454,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5714 (solar canopies tax deferral). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(36) $412,000 of the accident account—state appropriation and $73,000 of the medical aid account—state appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5761 (wage and salary information). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(37) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a nonprofit organization that will support development, outreach, and recruitment to provide job readiness skills and apprenticeship training to public school paraeducators to support college degree attainment to become certified teachers. The grant recipient must be a nonprofit organization serving classified public school employees statewide.

(38) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to create a certified nursing assistant model joint labor-management apprenticeship program to address the certified nursing assistant staffing crisis in skilled nursing facilities by improving workforce recruitment and retention, reducing barriers to entry, and restoring the pipeline of entry level health care professionals into skilled nursing facilities.

(39) $2,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(40) $12,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to distribute funds to supplement the related supplemental instruction costs for programs providing apprenticeship education and job training for general journey (01) electricians. Funding shall be allotted at $17.60 per delivered related supplemental instruction hour to programs for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. Programs may apply for up to a 25 percent increase in allotted funding if partnering with a Washington community or technical college to deliver the related supplemental instruction based on the level of contracted support provided by the college.

**Sec.**  2021 c 334 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

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

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2022) ((~~$3,966,000~~))

$4,087,000

General Fund—State Appropriation (FY 2023) ((~~$3,791,000~~))

$4,211,000

Charitable, Educational, Penal, and Reformatory

Institutions Account—State Appropriation $10,000

TOTAL APPROPRIATION ((~~$7,767,000~~))

$8,308,000

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2022) ((~~$8,121,000~~))

$8,128,000

General Fund—State Appropriation (FY 2023) ((~~$7,878,000~~))

$9,292,000

General Fund—Federal Appropriation ((~~$4,412,000~~))

$9,116,000

General Fund—Private/Local Appropriation ((~~$4,959,000~~))

$6,730,000

Veteran Estate Management Account—Private/Local

Appropriation $717,000

TOTAL APPROPRIATION ((~~$26,087,000~~))

$33,983,000

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

(a) $449,000 of the general fund—state appropriation for fiscal year 2022 and $449,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for supporting the statewide plan to reduce suicide among service members, veterans, and their families. No later than December 1, 2022, the department must submit to the appropriate fiscal committees of the legislature a report that describes how the funding provided in this subsection was spent, including the numbers of individuals served and the types of services provided.

(b) $233,000 of the general fund—state appropriation for fiscal year 2022 and $233,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the traumatic brain injury program to reduce homelessness, domestic violence, and intimate partner violence impacts to the behavioral health system and justice system. No later than December 1, 2022, the department must submit to the appropriate fiscal committees of the legislature a report that describes how the funding provided in this subsection was spent, including the numbers of individuals served and the types of services provided.

(c) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for two veterans service officers, one located in eastern Washington and one located in western Washington.

(d) $1,100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for expanding counseling services for veterans dealing with posttraumatic stress disorder.

(4) ((~~INSTITUTIONAL SERVICES~~)) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2022) ((~~$10,991,000~~))

$16,756,000

General Fund—State Appropriation (FY 2023) ((~~$12,510,000~~))

$23,897,000

General Fund—Federal Appropriation ((~~$108,522,000~~))

$110,588,000

General Fund—Private/Local Appropriation ((~~$21,794,000~~))

$18,632,000

TOTAL APPROPRIATION ((~~$153,817,000~~))

$169,873,000

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

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2021-2023 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) $234,000 of the general fund—state appropriation for fiscal year 2022 and $222,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement Substitute House Bill No. 1218 (long-term care residents). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2022) $85,000

General Fund—State Appropriation (FY 2023) ((~~$101,000~~))

$130,000

General Fund—Federal Appropriation $710,000

TOTAL APPROPRIATION ((~~$896,000~~))

$925,000

**Sec.**  2021 c 334 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2022) ((~~$99,870,000~~))

$120,491,000

General Fund—State Appropriation (FY 2023) ((~~$96,638,000~~))

$128,522,000

General Fund—Federal Appropriation ((~~$569,921,000~~))

$580,680,000

General Fund—Private/Local Appropriation ((~~$234,627,000~~))

$248,242,000

Hospital Data Collection Account—State Appropriation $428,000

Health Professions Account—State Appropriation ((~~$146,975,000~~))

$157,579,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$633,000~~))

$637,000

Emergency Medical Services and Trauma Care Systems

Trust Account—State Appropriation ((~~$10,053,000~~))

$10,109,000

Safe Drinking Water Account—State Appropriation ((~~$5,976,000~~))

$7,240,000

Drinking Water Assistance Account—Federal

Appropriation ((~~$16,759,000~~))

$20,903,000

Waterworks Operator Certification Account—State

Appropriation ((~~$1,978,000~~))

$2,007,000

Drinking Water Assistance Administrative Account—

State Appropriation ((~~$1,604,000~~))

$1,635,000

Site Closure Account—State Appropriation ((~~$180,000~~))

$186,000

Biotoxin Account—State Appropriation ((~~$1,675,000~~))

$1,730,000

Model Toxics Control Operating Account—State

Appropriation ((~~$7,555,000~~))

$8,164,000

Medical Test Site Licensure Account—State

Appropriation ((~~$3,187,000~~))

$3,281,000

Secure Drug Take-Back Program Account—State

Appropriation ((~~$299,000~~))

$1,435,000

Youth Tobacco and Vapor Products Prevention Account—

State Appropriation ((~~$3,222,000~~))

$3,243,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) ((~~$10,538,000~~))

$10,584,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$10,562,000~~))

$11,000,000

Public Health Supplemental Account—Private/Local

Appropriation ((~~$3,619,000~~))

$3,708,000

Accident Account—State Appropriation ((~~$348,000~~))

$369,000

Medical Aid Account—State Appropriation ((~~$53,000~~))

$57,000

Statewide 988 Behavioral Health Crisis Response Line

Account—State Appropriation $80,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $256,287,000

TOTAL APPROPRIATION ((~~$1,226,700,000~~))

$1,578,597,000

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

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

(2) During the 2021-2023 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2022 and 2023 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2022 and 2023 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(8) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(9) $26,855,000 of the general fund—local appropriation is provided solely for the department to provide core medical services, case management, and support services for individuals living with human immunodeficiency virus.

(10) $17,000 of the health professions account—state appropriation is provided solely for the implementation of Senate Bill No. 5018 (acupuncture and eastern med.) ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(11) $703,000 of the general fund—state appropriation for fiscal year 2022 and $703,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5052 (health equity zones). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(12) ((~~$73,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Second Substitute Senate Bill No. 5062 (data). If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(13)~~)) $79,000 of the general fund—state appropriation for fiscal year 2022 and $76,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5119 (individuals in custody). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(14) $1,333,000~~)) (13) $873,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,117,000~~)) $1,577,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5141 (env. justice task force recs). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(15)~~)) (14) $13,000 of the general fund—state appropriation for fiscal year 2022 and $13,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5195 (opioid overdose medication). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(16) $74,000 of the general fund—state appropriation for fiscal year 2022 and $74,000 of the general fund—federal appropriation are~~)) (15) $187,000 of the health professions account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5229 (health equity continuing ed.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(17)~~)) (16) $50,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a grant to the Pierce county center for dispute resolution to convene a task force, staffed by the Pierce county center for dispute resolution, to review and make recommendations on bringing the current practice of dental therapy on tribal lands to a statewide scale, and on the practice, supervision, and practice settings needed to maximize the effectiveness of dental therapy. The Pierce county center for dispute resolution must submit a report to the legislature by December 1, 2021.

(a) Members of the task force must include:

(i) Three representatives from different organizations that represent individuals or underserved communities, including but not limited to children, seniors, African Americans, Latino Americans, Native Americans, Pacific Islander Americans, and low income and rural communities;

(ii) One member of the dental quality assurance commission;

(iii) One representative from the University of Washington school of dentistry;

(iv) One member from the Washington state dental association;

(v) One member from the Washington state dental hygienists' association;

(vi) One dental therapist;

(vii) One dentist who has or is currently supervising a dental therapist or therapists;

(viii) One representative from a dental only integrated delivery system;

(ix) One representative from an urban Indian health clinic;

(x) One representative from a federally qualified health center or the Washington association for community health;

(xi) One representative from a dental therapy education program;

(xii) One representative from a Washington tribe that currently employs dental therapists; and

(xiii) One representative from a labor union representing care providers that has experience providing dental coverage and promoting dental care among their members.

(b) In addition, members of the task force may include members from the legislature as follows:

(i) The president of the senate may appoint one member from each of the two largest caucuses of the senate; and

(ii) The speaker of the house of representatives may appoint one member from each of the two largest caucuses of the house of representatives.

((~~(18)~~)) (17) $492,000 of the general fund—state appropriation for fiscal year 2022 and $492,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used to support the costs of the development and adoption of rules, policies, and procedures, and for technical assistance, training, and other program-related costs.

((~~(19)~~)) (18) $96,000 of the general fund—state appropriation for fiscal year 2022 and $92,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

((~~(20)~~)) (19) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine.

((~~(21)~~)) (20)(a) ((~~$200,000~~)) $65,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $135,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a task force, chaired by the secretary of the department, implemented by August 1, 2021, to assist with the development of a "parks Rx" health and wellness pilot program that can be implemented in the Puget Sound, eastern Washington, and southwest Washington regions of Washington state.

(b) Members of the task force must include:

(i) The secretary of health, or the secretary's designee;

(ii) The following members to be appointed by the secretary of health:

(A) Two representatives of local parks and recreation agencies, from recommendations by the Washington recreation and park association;

(B) Two representatives of health care providers and community health workers, from recommendations by the association of Washington healthcare plans from recommendations by the department community health worker training program;

(C) Two representatives from drug-free health care professions, one representing the interests of state associations representing chiropractors and one representing the interests of physical therapists and athletic trainers from recommendations by their respective state associations;

(D) Two representatives from hospital and health systems, from recommendations by the Washington state hospital association;

(E) Two representatives of local public health agencies, from recommendations by the Washington state association of local public health officials; and

(F) Two representatives representing health carriers, from recommendations from the association of Washington healthcare plans; and

(iii) A representative from the Washington state parks, as designated by the Washington state parks and recreation commission.

(c) The secretary of health or the secretary's designee must chair the task force created in this subsection. Staff support for the task force must be provided by the department of health.

(d) The task force shall establish an ad hoc advisory committee in each of the three pilot regions for purposes of soliciting input on the design and scope of the parks Rx program. Advisory committee membership may not exceed 16 persons and must include diverse representation from the pilot regions, including those experiencing significant health disparities.

(e) The task force must meet at least once bimonthly through June 2022.

(f) The duties of the task force are to advise the department of health on issues including but not limited to developing:

(i) A process to establish the pilot program described in this subsection around the state with a focused emphasis on diverse communities and where systematic inequities and discrimination have negatively affected health outcomes;

(ii) Model agreements that would enable insurers to offer incentives to public, nonprofit, and private employers to create wellness programs that offer employees a discount on health insurance in exchange for a certain usage level of outdoor parks and trails for recreation and physical activity; and

(iii) Recommendations on ways in which a public-private partnership approach may be utilized to fund the implementation of the pilot program described in this subsection.

(g) The members of the task force are encouraged to consider grant funding and outside funding options that can be used toward the pilot program.

(h) The department of health must report findings and recommendations of the task force to the governor and relevant committees of the legislature in compliance with RCW 43.01.036 by September 1, 2022.

((~~(22)~~)) (21) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a work group to make recommendations concerning funding and policy initiatives to address the spread of sexually transmitted infections in Washington.

(a) The work group membership must include, but is not limited to, the following members appointed by the governor:

(i) A representative from the department of health office of infectious disease;

(ii) A representative from the pharmacy quality assurance commission;

(iii) A representative from the Washington medical commission;

(iv) A representative from an organization representing health care providers;

(v) A representative from a local health jurisdiction located east of the crest of the Cascade mountains;

(vi) A representative from a local health jurisdiction located west of the crest of the Cascade mountains;

(vii) At least one representative from an organization working to address health care access barriers for LGBTQ populations;

(viii) At least one representative from an organization working to address health care access barriers for communities of color; and

(ix) At least one representative from an organization working to address health care access barriers for justice involved individuals.

(b) Staff support for the work group shall be provided by the department of health.

(c) The work group shall submit a report to the legislature by December 1, 2022, that includes recommendations to: (i) Eradicate congenital syphilis and hepatitis B by 2030; (ii) control the spread of gonorrhea, syphilis, and chlamydia; (iii) end the need for confirmatory syphilis testing by the public health laboratory; and (d) expand access to PrEP and PEP.

(d) Recommendations provided by the work group must be prioritized based on need and available funding.

((~~(23)~~)) (22) $236,000 of the general fund—state appropriation for fiscal year 2022 and $236,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement Engrossed Second Substitute House Bill No. 1152 (comprehensive public health districts). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(24)~~)) (23) $332,000 of the general fund—state appropriation for fiscal year 2022 and $1,885,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to establish and operate regional shared service centers, regional health officers, and regional coordinators, as follows:

(a) The role and duties of the regional shared service centers shall be determined by the department and may include the coordination and facilitation of shared delivery of services under the foundational public health services, the implementation of Engrossed Second Substitute Senate Bill No. 5052 (health equity zones), and the development of relationships with other regional bodies, such as accountable communities of health.

(b) Regional health officers and regional coordinators must be employees of the department. The department may seek to colocate these employees with local health jurisdictions or other government agencies.

(c) The regional health officers shall be deputies of the state health officer. Regional health officers may: (i) Work in partnership with local health jurisdictions, the department, the state board of health, and federally recognized Indian tribes to provide coordination across counties; (ii) provide support to local health officers and serve as an alternative for local health officers during vacations and other absences, emergencies, and vacancies; and (iii) provide mentorship and training to new local health officers.

(d) A regional health officer must meet the same qualifications as local health officers provided in RCW 70.05.050.

((~~(25)~~)) (24) $34,000 of the general fund—state appropriation for fiscal year 2022 and $58,000 of the general fund—local appropriation are provided solely for implementation of Second Substitute House Bill No. 1148 (acute care hospitals). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(26)~~)) (25) $832,000 of the general fund—local appropriation and $554,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1086 (behavioral health consumers). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(27)~~)) (26) $21,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1063 (behav. health credentials). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(28)~~)) (27) $374,000 of the general fund—state appropriation for fiscal year 2022 and $362,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1443 (cannabis industry/equity). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(29)~~)) (28) $97,000 of the general fund—local appropriation is provided solely for implementation of House Bill No. 1031 (birth cert., stillbirth). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(30) $200,000 of the general fund—state appropriation for fiscal year 2022 and $98,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1127 (COVID-19 health data privacy). If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(31)~~)) (29) $17,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (supervised exp./distance). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(32)~~)) (30) $596,000 of the general fund—state appropriation for fiscal year 2022, $58,000 of the general fund—state appropriation for fiscal year 2023, and $64,000 of the hospital data collection account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1272 (health system transparency). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(33)~~)) (31) $71,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1129 (international medical grads). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(34)~~)) (32) $2,809,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1139 (lead in drinking water). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(35)~~)) (33) $17,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Substitute House Bill No. 1383 (respiratory care). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(36)~~)) (34) $92,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1184 (risk-based water standards). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(37)~~)) (35) $516,000 of the general fund—state appropriation for fiscal year 2022 and $1,873,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute House Bill No. 1225 (school-based health centers). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(38)~~)) (36) $301,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1161 (drug take-back programs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(39)~~)) (37) $22,000 of the general fund—state appropriation for fiscal year 2022 and $78,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed House Bill No. 1311 (SUD apprenticeships/certs). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(40)~~)) (38) $17,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of House Bill No. 1378 (medical assistants). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(41)~~)) (39) Within amounts appropriated in this section from the health professions account, the Washington nursing commission shall contract with the state auditor's office to conduct a performance audit, specifically addressing the length of time required to license individuals who come from other states. The audit should address the obstacles contributing to any delay and make recommendations for improvement.

((~~(42)~~)) (40) Within amounts appropriated in this section from the health professions account, the Washington medical commission shall contract with the state auditor's office to conduct a performance audit, which must address the length of time required to license individuals and comparatively analyze disciplinary processes with those of other states. The audit should address the obstacles contributing to inefficiencies and make recommendations for improvement.

((~~(43)~~)) (41) Within amounts appropriated in this section, the Washington nursing commission must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

((~~(44)~~)) (42) $600,000 of the general fund—state appropriation for fiscal year 2022 and $600,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a community-based nonprofit organization located in Yakima Valley to develop a Spanish language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on best practices for limiting exposure, preventing transmission, and seeking treatment for COVID-19. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2021. A final report to the legislature must be submitted no later than June 30, 2023. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

((~~(45)~~)) (43) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

((~~(46)~~)) (44) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a community-based nonprofit organization located in Yakima Valley to develop a Spanish-language public radio media campaign aimed at preventing opioid use disorders through education outreach programs. The goal of the radio media campaign is reaching underserved populations, who may have limited literacy and who may experience cultural and informational isolation, to address prevention, education and treatment for opioid users or those at risk for opioid use. The nonprofit organization must coordinate with stakeholders who are engaged in promoting healthy and educated choices about drug use and abuse to host four workshops and two conferences that present the latest research and best practices. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2022. A final report must be submitted to the legislature no later than June 30, 2023. Both reports must include: (a) A description of the outreach programs and their implementation; (b) a description of the workshops and conferences held; (c) the number of individuals who participated in or received services in relation to the outreach programs; and (d) any relevant demographic data regarding those individuals.

((~~(47)~~)) (45) $2,122,000 of the general fund—state appropriation for fiscal year 2022 and $2,122,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

((~~(48)~~)) (46) $2,325,000 of the general fund—state appropriation for fiscal year 2022 and $2,625,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Additional staffing for call centers to support the increased volume of calls to suicide hotlines;

(d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;

(e) Support for tribal suicide prevention efforts;

(f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;

(g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;

(h) Expansion of training for community health workers to include culturally informed training for suicide prevention;

(i) Coordination with the office of the superintendent of public instruction; and

(j) Support for the suicide prevention initiative housed in the University of Washington.

((~~(49)~~)) (47) $1,500,000 of the general fund—state appropriation for fiscal year 2022 and $1,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the fruit and vegetable incentive program.

((~~(50)~~)) (48) $474,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to implement Substitute House Bill No. 1218 (long-term care residents). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(51)~~)) (49) $1,779,000 of the health professions account—state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 1504 (workforce education development act). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(52)~~)) (50) $627,000 of the general fund—state appropriation for fiscal year 2022 and $627,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.

((~~(53)~~)) (51) $250,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for one-time grants to family planning clinics that are at risk of imminent closure, did not receive a paycheck protection program loan, and are ineligible for funding through the coronavirus aid, relief, and economic security (CARES) act or the coronavirus response and relief supplemental appropriations act of 2021 (CRRSA).

((~~(54)~~)) (52) $450,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the nursing care quality assurance commission, in collaboration with the workforce training and education coordinating board and the department of labor and industries, to plan a home care aide to nursing assistant certified to licensed practical nurse (HCA-NAC-LPN) apprenticeship pathway. The plan must provide the necessary groundwork for the launch of at least three licensed practical nurse apprenticeship programs in the next phase of work. The plan for the apprenticeship programs must include programs in at least three geographically disparate areas of the state experiencing high levels of long-term care workforce shortages for corresponding health professions and incorporate the participation of local workforce development councils for implementation.

((~~(55)~~)) (53) $85,000 of the general fund—state appropriation for fiscal year 2022 and $23,000 of the health professions account—state appropriation are provided solely to implement Senate Bill No. 5124 (colon hydrotherapy). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(54) $3,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington nursing commission to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.

(55) $761,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington nursing commission to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.

(56) $147,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department in collaboration with the state health care authority and the University of Washington to develop a licensure and regulatory program for behavioral health support specialists consistent with the provisions in Engrossed Second Substitute Senate Bill No. 5884 (behavioral health support).

(57) $212,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5821 (cardiac & stroke response). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(58) $41,000 of the general fund—state appropriation for fiscal year 2022 and $777,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5699 (cannabis analysis labs). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(59) $223,000 of the general fund—state appropriation for fiscal year 2022 and $186,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.

(60) $100,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to provide a grant to a statewide community based environmental justice organization to establish an environmental justice community participation fund. The participation fund must allocate the funding as grants to community-based organizations serving vulnerable populations in highly impacted communities in rural and urban areas for the purpose of supporting their communities' access, understanding, and participation in environmental justice council deliberations and the implementation of chapter 70A.02 RCW.

(61) $1,244,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for additional resources for the department to issue provider credentials within seven calendar days of receiving a complete application.

(62) $532,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to create a program within the office of drinking water to offer engineering assistance to nonfluoridated water systems with over 5,000 connections. The program will assist water systems to plan for future community water fluoridation.

(63) $102,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute House Bill No. 1881 (birth doulas) to waive the fee established in the bill for doulas who serve clients on medicaid. If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(64) $121,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to expand access to the smoking cessation quitline, implement electronic referrals to the quitline, and provide grants to develop messaging related to smoking cessation.

(65) $7,400,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for one-time grants to providers of family planning and reproductive health services that participate in the department's family planning and reproductive health program and which experienced drops in patient visit volume during the pandemic in order to maintain the availability of services for low-income Washingtonians.

(66) $268,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5753 (board & commission sizes). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(67) $166,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct an oral health equity assessment. The department must use available data and community needs assessments to identify unmet oral health needs and develop recommendations to advance positive oral health outcomes while reducing inequities through increased access to community water fluoridation. The department must consult with the state office of equity and may collaborate with public health oral health care providers and community-based organizations to conduct the assessment and develop recommendations. The department must submit the oral health equity assessment report and recommendations to the appropriate committees of the legislature by June 30, 2023.

(68) $14,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5496 (health prof. monitoring). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(69) $60,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5638 (mental health prof. licenses). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(70) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to convene a nonregulatory stakeholder forum to discuss solutions to per- and polyfluoroalkyl substances (PFAS) chemical contamination of surface and groundwater.

(71) $7,501,000 of the general fund—state appropriation for fiscal year 2022, $8,394,000 of the general fund—state appropriation for fiscal year 2023, and $3,193,000 of the general fund—federal appropriation are provided solely for the costs of public health data systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(72) $390,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5886 (rare diseases adv. council). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(73) $814,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to expand grants to establish new school-based health centers and to add behavioral health capacity to existing school-based health centers.

(74) $2,101,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to undergo a competitive procurement process for an updated medical marijuana authorization data system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(75) $112,000 of the general fund—state appropriation for fiscal year 2022 and $112,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(76) $114,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5626 (water system plans/climate). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(77) $54,000 of the general fund—state appropriation for fiscal year 2022 and $1,300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.

(78) $654,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department, in collaboration with an organization that represents pediatric care needs in Washington state, to establish a curriculum and provide training for community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW, beginning January 1, 2023, in support of the health care authority's two-year grant program. The department will coordinate ongoing curriculum development meetings with the relational health training work group.

(79) $1,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to the greater Columbia accountable community of health to develop and implement an innovative emergency medical services program to bridge the gap of unmet health care needs in the community.

(80) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to cancer pathways to provide statewide education and support for adults, children, and families impacted by cancer, including support groups, camps for kids impacted by cancer, and risk reduction education for teens.

(81) $100,149,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department's continued vaccine administration efforts, including mass vaccination sites where needed and pass-through contracts with local health jurisdictions. If the federal emergency management agency reimbursement at full cost for eligible activities is renewed beyond April 1, 2022, the department must conserve this appropriation and maximize the use of federal reimbursements. The legislature intends this funding to be sufficient to cover the department's vaccine administration activities through January 1, 2023. By June 1, 2022, the department must submit a report to the health care and fiscal committees of the legislature detailing a cost-based COVID-19 vaccine administration fiscal response plan for the remainder of the 2021-2023 fiscal biennium as well as any vaccine administration costs the department projects into the 2023-2025 fiscal biennium. This report must include a funding strategy for specific agency COVID-19 vaccine administration initiatives, including, but not limited to, mass vaccination sites, primary care provider outreach, mobile vaccination administration, and outreach. This report must also include specific and itemized individual local health jurisdiction initiatives in which the department has or plans to request funding from the legislature on behalf of the local health jurisdiction.

(82) $156,099,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to respond to the COVID-19 pandemic through means including diagnostic testing, case investigation, outbreak response, care coordination, community outreach, operational and technical support, disease surveillance, client services, and support for local health jurisdictions and tribes. If the federal emergency management agency reimbursement at full cost for eligible activities is renewed beyond April 1, 2022, the department must conserve this appropriation and maximize the use of federal reimbursements. The legislature intends this funding to be sufficient to cover the department's response through January 1, 2023, at which point the legislature plans to reevaluate the scope of the public health threat posed by COVID-19. By June 1, 2022, the department must submit a report to the health care and fiscal committees of the legislature detailing a cost-based COVID-19 fiscal response plan for the remainder of the 2021-2023 fiscal biennium as well as any costs the department projects into the 2023-2025 fiscal biennium. This report must include a funding strategy for specific agency COVID-19 response initiatives, including, but not limited to, mass testing sites, testing contracts, laboratory and scientific analysis, and other agency initiatives in response to the pandemic. This report must also include specific and itemized individual local health jurisdiction initiatives in which the department has or plans to request funding from the legislature on behalf of the local health jurisdiction.

(83) $85,000 of the health professions account—state appropriation is provided solely for the implementation of Senate Bill No. 5518 (OT licensure compact). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(84) $91,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5702 (donor human milk coverage). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(85) $404,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5703 (cosmetic products/chemicals). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(86) $19,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5723 (diversity in clinical trials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(87) $22,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5765 (midwifery). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(88) $81,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5848 (music therapists). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(89) $53,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5900 (provisional paramedics, EMTs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(90) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to create the criminal justice integrated data system task force, to be convened and chaired by a representative from the department.

(a) In addition to the chair, the task force shall consist of the following members or the member's designee with experience in criminal justice data systems and reporting:

(i) The governor;

(ii) The chief justice of the Washington state supreme court;

(iii) The attorney general;

(iv) The director of the department of corrections;

(v) The director of the department of children, youth, and families;

(vi) The director of the department of social and health services;

(vii) The director of the administrative office of the courts;

(viii) A representative of the Washington association of prosecuting attorneys;

(ix) A representative of the Washington association of sheriffs and police chiefs;

(x) A representative of the association of Washington cities;

(xi) A representative of the Washington state association of counties;

(xii) A representative of the office of crime victims advocacy;

(xiii) A representative from the Washington state institute for public policy;

(xiv) A representative from the office of public defense or a defense representative;

(xv) A representative from the Harborview injury prevention and research center;

(xvi) A representative from the Washington association of coroners and medical examiners; and

(xvii) A representative from the Washington state association of county clerks.

(b) The task force shall notify the members of the law and justice committees of the house and senate of scheduled meetings and agendas.

(c) By December 1, 2022, the task force shall submit a report to the legislature detailing recommendations, an implementation plan, and a feasibility study for a criminal justice integrated data system to receive and maintain data and information from local governments, state agencies, and nongovernmental entities. This report must also include:

(i) Recommendations on the creation and composition of a criminal justice data oversight council and processes by which the council will approve requests for projects, reports, and data analyses generated from the criminal justice integrated data system;

(ii) Opportunities to integrate and leverage federal and other dollars for this work; and

(iii) A staffing plan for the department of health to create a violence and death investigation resource center to collect and analyze vital statistics on violence and deaths in the state to:

(A) Identify localized and statewide trends;

(B) Survey medical examiners and coroners in the state to identify the critical needs of the offices;

(C) Develop systems to facilitate information and data sharing between medical examiner and coroner offices; and

(D) Develop best practices for death investigations in the state.

(d) Of the amounts provided in this subsection, $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to contract with the Washington association of coroners and medical examiners to conduct a study of the critical shortage of board-certified forensic pathologists and recommend to the legislature what steps the state can take to foster a robust forensic pathology community. The study shall cover issues related to Conrad 30/J-1 visa waivers and measures to encourage enrollment in the University of Washington and Washington State University forensic pathology residency programs. This study must also include recommendations on how to create two new forensic pathology fellow slots, one in conjunction with the University of Washington and one in conjunction with Washington State University. The Washington association of coroners and medical examiners shall directly report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2022.

(91) $39,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (transportation resources). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(92) $428,000 of the general fund—state appropriation for fiscal year 2022 and $855,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the continued operations of the Washington medical coordination center.

(93) $17,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a survey of home care and home health agencies as defined in RCW 70.127.010, to gather financial information for tax or fee planning purposes, including but not limited to total by service line. Any such financial information reported must be de-identified so it does not identify individual recipients of care. The department shall provide this information to the department of social and health services and service employees international union 775 for analysis upon completion of the survey.

(94) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a mass public awareness campaign targeted at alerting the public to the dangers caused by methamphetamines and fentanyl, including outreach to both youth and adults aimed at preventing addiction and overdose deaths.

(95) $91,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to convene a work group to study the root causes of rising behavioral health issues in Washington communities.

(a) The membership of the work group shall emphasize individuals with actual, practical experience dealing with the behavioral health system and shall include:

(i) Individuals who have received behavioral health services in a variety of settings and circumstances throughout the behavioral health system;

(ii) Family members of individuals who have received behavioral health services;

(iii) Behavioral health treatment providers with experience providing behavioral health services in various settings, including crisis behavioral health services. Providers serving on the work group may not represent, or be employed by, any organizations or interest groups representing the interests of health care providers or behavioral health stakeholders;

(iv) Tribal representatives with experience providing or receiving behavioral health services from tribal health departments;

(v) Members of the clergy;

(vi) Law enforcement officers with training and experience in responding to individuals with behavioral health conditions or who are undergoing behavioral health crises;

(vii) Behavioral health advocates; and

(viii) Any other individuals with experience in the behavioral health system, as deemed appropriate by the department.

(b) The work group shall, at a minimum, discuss:

(i) Factors leading to increased demand for behavioral health services in Washington;

(ii) Barriers to addressing unmet needs and any gaps in the behavioral health system;

(iii) The effectiveness of the state's integrated care initiative regarding access for the seriously mentally ill, reductions in hospitalization and institutionalization, improvements in community-based care, and support for an effective network of community-based care providers for the seriously mentally ill; and

(iv) Suggestions for improving the behavioral health system, including methods to address behavioral health workforce shortages.

(c) The work group shall submit to the governor and the appropriate committees of the legislature a progress report by December 15, 2022, and its findings and recommendations by June 30, 2023.

(96) $25,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide a grant to a community organization in Greenwater to establish temporary portable toilets to be accessible to tourists and other individuals traveling on state route 410.

**Sec.**  2021 c 334 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2022, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2022 among programs after approval by the director of the office of financial management. The department of corrections must notify the fiscal committees of the legislature prior to receiving approval from the director of financial management. To the extent that appropriations under this section are insufficient to fund actual expenditures in excess of caseload forecast assumptions or for expenses in response to the COVID-19 pandemic, the department may transfer general fund—state appropriations for fiscal year 2022 that are provided solely for a specified purpose. The department may not transfer funds, including for expenses in response to the COVID-19 pandemic in fiscal year 2022, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund—State Appropriation (FY 2022) ((~~$77,278,000~~))

$78,909,000

General Fund—State Appropriation (FY 2023) ((~~$79,651,000~~))

$88,685,000

General Fund—Federal Appropriation $400,000

TOTAL APPROPRIATION ((~~$157,329,000~~))

$167,994,000

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

(a) $1,135,000 of the general fund—state appropriation for fiscal year 2022 and $1,731,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expansion of reentry supports and transition services for incarcerated individuals including development and implementation of a coaching model approach to supervision.

(b) Within the amounts provided in (a) of this subsection, $100,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to develop an implementation plan for a community supervision coaching model to begin in fiscal year 2023. The department must solicit input from incarcerated individuals, family members of incarcerated individuals, experts in supervision and reentry, community stakeholder and advocacy groups, and impacted labor organizations. The plan shall propose appropriate policies and procedures for the coaching model, including ongoing training and organizational culture assessments. During development of the plan, the department must consider potential inequities that may arise from any changes or additional requirements of supervision resulting from the model and mitigate those concerns to the greatest extent possible in its final plan. This plan must be submitted to the office of financial management prior to implementation.

(c) Within the amounts provided in (a) of this subsection, $706,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of the plan to be developed under (b) of this subsection and for the department to submit an initial report to the legislature on the progress of implementation of the coaching supervision model by no later than February 1, 2023.

(d) $17,000 of the general fund—state appropriation for fiscal year 2022 and $17,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5304 (providing reentry services to persons releasing from state and local institutions). ((~~If this bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(e) $197,000 of the general fund—state appropriation for fiscal year 2022 and $187,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5259 (law enforcement data). ((~~If this bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(f)(i) $779,000 of the general fund—state appropriation for fiscal year 2022 and $817,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for increasing access to educational opportunities for incarcerated individuals.

(ii) Of the amounts provided in (f)(i) of this subsection, $680,000 of the general fund—state appropriation for fiscal year 2022 and $285,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1044 (prison to postsecondary ed.). ((~~If this bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(g) $1,116,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month in fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(h) $609,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for staff and vendor costs to transform correctional culture in prisons and work releases, and to improve health and safety for all, through additional training. The prison rape elimination act compliance specialists must be among the first staff trained.

(i) $130,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a human resource consultant to implement Second Substitute Senate Bill No. 5695 (body scanners). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(j) $1,135,000 of the general fund—state appropriation for fiscal year 2022 and $1,731,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reentry investments to include reentry and discharge staffing. The staffing must provide expanded reentry and discharge services to include, but not limited to, transition services, pre-employment testing, enhanced health care discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2022) ((~~$602,497,000~~))

$449,494,000

General Fund—State Appropriation (FY 2023) ((~~$605,877,000~~))

$684,893,000

General Fund—Federal Appropriation ((~~$1,300,000~~))

$1,393,000

General Fund—Private/Local Appropriation $335,000

Washington Auto Theft Prevention Authority Account—

State Appropriation ((~~$4,343,000~~))

$4,489,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $48,720,000

TOTAL APPROPRIATION ((~~$1,214,017,000~~))

$1,189,324,000

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

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than $85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) ((~~$501,000~~)) $574,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$501,000~~)) $671,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester. Additional funds are provided for a stationary engineer and a custodian.

(c) Funding in this subsection is sufficient for the department to track and report to the legislature on the changes in working conditions and overtime usage as a result of increased funding provided for custody relief and health care delivery by December 1, 2022.

(d) $39,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1054 (peace officer tactics, equip). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(e) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month in fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(f) $714,000 of the general fund—state appropriation for fiscal year 2022 and $695,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for dedicated prison rape elimination act compliance specialists. Of the amount provided in this subsection, one compliance specialist staff must be provided at each of the following prisons:

(i) Monroe correctional center;

(ii) Larch correctional center;

(iii) Olympic correctional center;

(iv) Cedar creek correctional center;

(v) Washington corrections center for women; and

(vi) Mission creek corrections center for women.

(g) $146,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Senate Bill No. 5054 (impaired driving). Funding is for direct variable costs due to estimated prison caseload impacts. If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(h) $2,750,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for three body scanners, correctional officer staffing, corrections specialist staffing, a drug recovery system, body scanner training, and body scanner installation costs to implement Second Substitute Senate Bill No. 5695 (body scanners). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(i) $5,962,000 of the general fund—state appropriation for fiscal year 2022, $9,106,000 of the general fund—state appropriation for fiscal year 2023, and $20,311,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to restore graduated reentry reductions made in the 2021-2023 biennial operating budget.

(j) $28,409,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for expenses incurred in response to the COVID-19 pandemic during fiscal year 2022.

(k) $1,251,000 of the general fund—state appropriation for fiscal year 2022 and $1,294,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reentry investments to include reentry and discharge staffing. The staffing must provide expanded reentry and discharge services to include, but not limited to, transition services, pre-employment testing, enhanced health care discharge planning, cognitive behavioral interventions, educational programming, and community partnership programs.

(l) $150,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to collaborate with the department of social and health services to conduct a study of the feasibility of placing long-term care individuals under the jurisdiction of the department in nursing home facilities licensed or to be licensed by the department of social and health services to better meet the client's care needs. The department of corrections must provide daily operating costs of prisons where these individuals may be coming from, the fiscal year 2021 daily costs per incarcerated individual assigned to the sage living unit, and the costs associated with electronic home monitoring costs per individual.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2022) ((~~$248,374,000~~))

$161,100,000

General Fund—State Appropriation (FY 2023) ((~~$274,412,000~~))

$223,947,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $15,030,000

TOTAL APPROPRIATION ((~~$522,786,000~~))

$400,077,000

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

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) $7,394,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of the plan to be developed under subsection (1)(b) of this section.

(d) Within existing resources the department must update the response to violations and new criminal activity policy to reflect the savings assumed in this section as related to mandatory maximum confinement sanctions.

(e) ((~~$1,124,000~~)) $661,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$523,000~~)) $725,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for increased costs associated with the relocation of leased facilities. The department shall engage in ongoing strategies to reduce the need for relocating facilities and when necessary contract only with lessors with rates that align with comparable market rates in the area.

(f) $59,000 of the general fund—state appropriation for fiscal year 2022 and $23,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5071 (civil commitment transition). ((~~If this bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(g) $450,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for conducting a community corrections caseload study. The department of corrections shall contract with an independent third party to provide a comprehensive review of the community corrections staffing model and develop an updated staffing model for use by the department of corrections. The updated model must include additional time and flexibility for community corrections officers to focus on case management, engagement, and interventions. The department of corrections shall submit a report, including a summary of the review and update, to the governor and appropriate committees of the legislature by July 1, 2022.

(h) $2,521,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month in fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(i) $1,629,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5592 (cost of supervision), to backfill for revenue loss due to the repeal of the cost of supervision account and related fees. If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(j) Within the amounts provided in this subsection (3) for work release programs, the department will operate the Helen B. Ratcliff work release facility.

(k) $11,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Senate Bill No. 5054 (impaired driving). Funding is for costs due to estimated community supervision caseload impacts. If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(l) $1,930,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for expenses incurred in response to the COVID-19 pandemic during fiscal year 2022.

(m) $1,749,000 of the general fund—state appropriation for fiscal year 2022 and $10,536,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reentry investments to include reentry and discharge staffing. The staffing must provide expanded reentry and discharge services to include, but not limited to, transition services, pre-employment testing, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2022) ((~~$7,324,000~~))

$8,696,000

General Fund—State Appropriation (FY 2023) ((~~$7,539,000~~))

$8,806,000

TOTAL APPROPRIATION ((~~$14,863,000~~))

$17,502,000

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2022) ((~~$58,651,000~~))

$57,553,000

General Fund—State Appropriation (FY 2023) ((~~$52,702,000~~))

$49,839,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $459,000

TOTAL APPROPRIATION ((~~$111,353,000~~))

$107,851,000

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

(a) $21,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discreet organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date, which the department must report on. The report must include the budgeted and actual tolling staffing levels by fiscal month in fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) $192,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for medical staffing in prisons for patient centered care and behavioral health care to increase access to care and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

(c) $4,000 of the general fund—state appropriation for fiscal year 2022 and $9,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act. The department must collaborate with the Washington state department of veterans affairs on the development of the system's business requirements.

(d) $19,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute Senate Bill No. 5695 (body scanners). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(e) $126,000 of the general fund—state appropriation for fiscal year 2022 and $161,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reentry investments to include reentry and discharge staffing. The staffing must provide expanded reentry and discharge services to include, but not limited to, transition services, pre-employment testing, enhanced health care discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2022) ((~~$77,046,000~~))

$73,278,000

General Fund—State Appropriation (FY 2023) ((~~$77,596,000~~))

$82,376,000

General Fund—Federal Appropriation $215,000

TOTAL APPROPRIATION ((~~$154,642,000~~))

$155,869,000

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

(a) The department of corrections shall use funds appropriated in this subsection (6) for offender programming. The department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody. The department of corrections must complete a report and submit its findings and recommendations to the appropriate committees of the legislature by December 15, 2021.

(c) $3,106,000 of the general fund—state appropriation for fiscal year 2022 and $3,106,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the housing voucher program.

(d) $3,300,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for temporary court facilities, staffing, and to provide release assistance, including limited housing and food assistance, and other costs associated with individuals resentenced or ordered released from confinement as a result of the *State v. Blake* decision.

(e)(i) $1,001,000 of the general fund—state appropriation for fiscal year 2022 and $675,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for increasing access to educational opportunities for incarcerated individuals.

(ii) Of the amounts provided in (e)(i) of this subsection, $272,000 of the general fund—state appropriation for fiscal year 2022 and $247,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1044 (prison to postsecondary ed.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(f) $784,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of the *State v. Blake* decision.

(g) $1,268,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for resentencing and reentry staffing associated with individuals resentenced or ordered released from confinement as a result of the *State v. Blake* decision.

(h) $438,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for program specialist staffing for increased comprehensive assessments and treatments, and substance use disorder treatment to implement Second Substitute Senate Bill No. 5695 (body scanners). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(i) $4,508,000 of the general fund—state appropriation for fiscal year 2022 and $7,893,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reentry investments to include reentry and discharge staffing. The staffing must provide expanded reentry and discharge services to include, but not limited to cognitive behavioral interventions and educational programming.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2022) ((~~$174,184,000~~))

$133,855,000

General Fund—State Appropriation (FY 2023) ((~~$175,599,000~~))

$191,178,000

General Fund—Federal Appropriation $1,400,000

General Fund—Private/Local Appropriation $2,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $25,915,000

TOTAL APPROPRIATION ((~~$351,183,000~~))

$352,350,000

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

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

(b) $183,000 of the general fund—state appropriation for fiscal year 2022 and $167,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5304 (providing reentry services to persons releasing from state and local institutions). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(c) $13,947,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to increase medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

(d) $420,000 of the general fund—state appropriation for fiscal year 2022 and $436,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for telehealth carts, necessary technology costs, and the build out of 64 dedicated teleservice rooms that will allow for legal and medical telepresence at all 12 prison facilities.

(e) $77,000 of the general fund—state appropriation for fiscal year 2022 and $900,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act. The department must collaborate with the Washington state department of veterans affairs on the development of the system's business requirements.

(f) $829,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for nursing staff for dry cell watch at Washington corrections center for men to implement Second Substitute Senate Bill No. 5695 (body scanners). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(g) $5,395,000 of the general fund—state appropriation for fiscal year 2022 and $8,239,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to restore graduated reentry reductions in the 2021-2023 biennial operating budget.

(h) $11,968,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for expenses incurred in response to the COVID-19 pandemic during fiscal year 2022.

(i) $613,000 of the general fund—state appropriation for fiscal year 2022 and $1,069,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reentry investments to include reentry and discharge staffing. The staffing must provide expanded reentry and discharge services to include, but not limited to, enhanced health care discharge planning.

**Sec.**  2021 c 334 s 224 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$3,534,000~~))

$4,703,000

General Fund—State Appropriation (FY 2023) ((~~$3,573,000~~))

$6,015,000

General Fund—Federal Appropriation ((~~$25,544,000~~))

$25,507,000

General Fund—Private/Local Appropriation $60,000

TOTAL APPROPRIATION ((~~$32,711,000~~))

$36,285,000

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

(1) $50,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to consult with a food service architect to determine the feasibility and cost of remodels to select cafes owned by entrepreneurs participating in the business enterprise program, and to prepare a report that includes the results, recommendations, cost, and potential funding sources that could be used to assist with remodels. The report is due to the governor and appropriate legislative committees by November 1, 2021.

(2) $70,000 of the general fund—state appropriation is provided solely for the department to provide individualized training to its blind, visually-impaired, deaf, and hearing-impaired staff in Microsoft 365 programs.

(3) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to contract with a consultant and create a report that identifies new or expanded enterprise opportunities for blind individuals, potential revenue sources, and new needs and methods for preparing individuals to effectively manage these enterprises. The report is due to the governor and appropriate legislative committees by June 30, 2023.

(4) $888,000 of the general fund—state appropriation for fiscal year 2022 and $1,552,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to remodel and upgrade equipment for select cafes owned by entrepreneurs participating in the business enterprise program to help them adjust to the changing needs of dining caused by the COVID-19 pandemic.

**Sec.**  2021 c 334 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2022) $1,757,000

General Fund—State Appropriation (FY 2023) ((~~$2,834,000~~))

$8,167,000

General Fund—Federal Appropriation ((~~$382,529,000~~))

$337,206,000

General Fund—Private/Local Appropriation ((~~$36,416,000~~))

$37,295,000

Unemployment Compensation Administration Account—

Federal Appropriation ((~~$420,315,000~~))

$444,445,000

Administrative Contingency Account—State

Appropriation ((~~$26,636,000~~))

$26,931,000

Employment Service Administrative Account—State

Appropriation ((~~$60,926,000~~))

$68,198,000

Family and Medical Leave Insurance Account—State

Appropriation ((~~$139,697,000~~))

$147,943,000

Workforce Education Investment Account—State

Appropriation ((~~$7,400,000~~))

$12,283,000

Long-Term Services and Supports Trust Account—State

Appropriation ((~~$32,265,000~~))

$33,564,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$168,745,000~~))

$66,128,000

Unemployment Insurance Relief Account—State

Appropriation $500,000,000

TOTAL APPROPRIATION ((~~$1,779,520,000~~))

$1,683,917,000

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

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) $30,458,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program. Of this amount, $10,932,833 is provided for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2021, and annually thereafter.

(4) $101,000 of the employment service administrative account—state appropriation is provided solely for information technology enhancements necessary for implementation of job title reporting and is subject to the conditions, limitations, and review provided in section 701 of this act.

(5)(a) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(b) Within existing resources, by December 1, 2021, and each year thereafter, the department shall submit a report to the governor and the appropriate committees of the legislature concerning the ability for the paid family and medical leave program and a statewide family resource, referral, and linkage system to provide integrated services to eligible beneficiaries. The report shall include an analysis of any statutory changes needed to allow information and data to be shared between the statewide family resource, referral, and linkage system and the paid family and medical leave program.

(6) Within existing resources, the department shall report the following to the legislature and the governor by September 30, 2021, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(7) $3,264,000 of the employment services administrative account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(8) $476,000 of the unemployment compensation administration account—federal appropriation is provided for the department to implement chapter 2, Laws of 2021 (unemployment insurance). If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection (8).

(9)(a) $875,000 of the general fund—state appropriation for fiscal year 2022((~~, $875,000 of the general fund—state appropriation for fiscal year 2023,~~)) and ((~~$7,385,000~~)) $8,260,000 of the workforce education investment account—state appropriation are provided solely for career connected learning grants as provided in RCW 28C.30.050.

(b) $3,000,000 of the workforce education investment account—state appropriation is provided solely for career connect learning grants to sector intermediaries. Up to five percent of the amount in this subsection may be used for administrative expenses associated with the sector intermediary grant program.

(c) $1,000,000 of the workforce education investment account—state appropriation is provided solely for career connect learning grants to public and private four-year institutions to create and promote career launch pathways.

(10) $1,222,000 of the employment services administrative account—state appropriation and $1,500,000 of the family and medical leave insurance account—state appropriation are provided solely for the maintenance and operation of the disaster recovery continuity of operations information technology project.

(11) $80,000 of the employment services administrative account—state appropriation is provided solely for the department to produce a report on the feasibility of replicating the existing unemployment insurance program to serve individuals not eligible for unemployment insurance due to immigration status. The study shall identify programmatic differences that would mitigate barriers to access and reduce fear of participation and identify the operational and caseload costs associated with the replication. If using a replica of the unemployment insurance program conflicts with federal law, the study shall assess the operational and caseload costs of similar social net programs that serve individuals regardless of their citizenship status. The departments shall jointly submit recommendations required by this section to the governor and appropriate legislative committees no later than November 5, 2021. The department shall:

(a) Work with the departments of labor and industries, social and health services, and commerce and the office of the governor;

(b) Convene and meet at least three times with a group of eight to ten external stakeholders comprised of representatives from geographically diverse immigrant advocacy groups, labor organizations with a state-wide presence, workers' rights groups, and legal and policy advocacy groups focused on immigration and employment law; and

(c) Hold at least one listening session with community members.

(12) ((~~$41,456,000~~)) $31,288,000 of the ((~~general fund—federal appropriation (ARPA) and~~)) coronavirus state fiscal recovery fund—federal appropriation, $2,684,000 of the general fund—federal appropriation (CRF), and $13,063,000 of the unemployment compensation administration account—federal appropriation are provided solely for the department to address the impacts of COVID-19 on the state unemployment system in order to prevent and detect fraud, promote equitable access to the unemployment insurance system, and ensure the timely payment of unemployment insurance benefits. Of the amounts provided in this subsection:

(a) $22,346,000 of the ((~~general fund—federal appropriation (ARPA)~~)) coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to address an anticipated increase in the unemployment insurance appeals caseload.

(b) ((~~$5,768,000~~)) $6,223,000 of the ((~~general fund—federal appropriation (ARPA)~~)) unemployment compensation account—federal appropriation is provided solely for the department to ensure adequate security measures are in place to prevent unemployment insurance fraud and cases are investigated in a timely manner.

(c) $4,465,000 of the ((~~general fund—federal appropriation (ARPA)~~)) coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to migrate and upgrade the unemployment insurance customer call center phone system to a cloud-based system. Prior to executing a contract, the department shall consult with the office of the chief information officer. The department must ensure that the project plan, timeline with quantifiable deliverables, and budget by fiscal year by fund, to include ongoing costs by fiscal year, are adhered to. The department shall report on the status of the project to the office of financial management and the relevant committees of the legislature by December 1, 2021.

(d) ((~~$400,000 of the general fund—federal appropriation (ARPA) is provided solely for translation of documents and letters and other improvements to ensure customer ease-of-access.~~

~~(e)~~)) $4,477,000 of the ((~~general fund—federal appropriation (ARPA)~~)) coronavirus state fiscal recovery fund—federal appropriation is provided for the department to process the unemployment insurance claimant backlog and to make program changes that enhance user experience in order to reduce claimant errors.

((~~(f)~~)) (e) $1,417,000 of the general fund—federal appropriation (CRF) is provided solely for the department to contract with the national guard to assist the department with its unemployment insurance claims backlog.

((~~(g)~~)) (f) $1,267,000 of the general fund—federal appropriation (CRF) is provided solely for the department to contract with a vendor to provide fact-finding services related to unemployment insurance claims.

((~~(h) $4,000,000~~)) (g) $6,840,000 of the ((~~general fund—federal appropriation (ARPA) for fiscal year 2022~~)) unemployment compensation administration account—federal appropriation is provided solely for the department to ((~~translate notices~~)) implement the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(13) $10,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to make information technology improvements to improve user experience and increase security to prevent unemployment insurance fraud. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

(14) Within existing resources, the department shall report to the legislature by September 2, 2021, the following information pertaining to the unemployment insurance program:

(a) The number of full time equivalent employees of the department who were working in the unemployment insurance program, including those who were reassigned internally to the unemployment insurance program, the number of full time equivalent employees that were contracted by the department from other state agencies, and the number of contractors or consultants engaged by the department, on a monthly basis beginning March 1, 2020, through the latest available month;

(b) A projection of full-time equivalent staffing or contractor needs that would be affordable within anticipated base and above-base federal unemployment administrative revenues;

(c) A spending plan for anticipated federal unemployment revenues other than base or above-base revenues, including any proposed additional full-time equivalent staff, consultants, contractors, or other investments related to helping the department reduce the backlog of unemployment insurance claims, appeals, denials, overpayments, and other claimant issues; and

(d) A budget for the unemployment insurance program, showing expenditures by object and fund source, for fiscal years 2022 and 2023, along with any projected shortfalls in revenues.

(15) $797,000 of the general fund—state appropriation for fiscal year 2022, $1,874,000 of the general fund—state appropriation for fiscal year 2023, and $979,000 of the family medical leave insurance account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5097 (paid leave coverage). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(16) $90,000 of the unemployment account—federal appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5190 (health care workers/benefits). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(17) $5,322,000 of the unemployment account—federal appropriation is provided solely for the department to implement Engrossed Substitute Senate Bill No. 5193 (unemployment ins. system). ((~~If the bill is not enacted by July 1, 2021, the amount provided in this subsection shall lapse.~~))

(18) ((~~$168,745,000~~)) $34,840,000 of the coronavirus state fiscal recovery account—federal appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1073 (paid leave coverage). ((~~Of the amount provided in this subsection, at least 95 percent is provided solely for grants and assistance awarded by the department pursuant to the bill. If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(19) $500,000,000 of the unemployment insurance relief fund—state appropriation is provided solely for the implementation of unemployment insurance relief provided pursuant to Engrossed Substitute Senate Bill No. 5478 (unemployment insurance). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~)) The department is directed to implement the bill within existing resources.

(20) $1,806,000 of the long-term services and supports trust account—state appropriation is provided solely for the implementation of Substitute House Bill No. 1323 (long-term services trust). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(21) $1,075,000 of the unemployment account—federal appropriation is provided solely for the implementation of Substitute House Bill No. 1455 (social security/L&I & ESD). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(22) $10,571,000 of the ((~~general fund~~)) unemployment compensation administration account—federal appropriation is provided solely for administration costs related to the federal unemployment insurance programs extended under the American rescue plan act of 2021, P.L. 117-2.

(23) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the North Central educational service district 171 to support the development of industry and education partnerships and expand career awareness, exploration and preparation activities for youth in Grant county.

(24) $4,843,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

(25) $6,208,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided, and progress made towards self-sufficiency.

(26) $1,720,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5649 (modifying PFML). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(27) $702,000 of the unemployment compensation administration account—federal appropriation is provided for implementation of Engrossed Substitute Senate Bill No. 5873 (social cost factor in UI). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(28) $262,000 of the employment services administrative account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5847 (providing PSLF information). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2022, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2022 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2022 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and the juvenile rehabilitation programs or in response to the COVID-19 pandemic, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. ((~~The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.~~))

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

**Sec.**  2021 c 334 s 227 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$389,597,000~~))

$374,951,000

General Fund—State Appropriation (FY 2023) ((~~$403,209,000~~))

$451,309,000

General Fund—Federal Appropriation ((~~$475,829,000~~))

$487,653,000

General Fund—Private/Local Appropriation $2,824,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$5,500,000~~))

$16,126,000

TOTAL APPROPRIATION ((~~$1,276,959,000~~))

$1,332,863,000

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

(1) $748,000 of the general fund—state appropriation for fiscal year 2022 and $748,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract. No later than December 1, 2021, the department must, in consultation with the health care authority, report to the appropriate legislative committees on potential options to maximize federal funding for the center, including any potential for the center to bill managed care organizations for services provided to medicaid recipients.

(2)(a) $453,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$453,000~~)) $722,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the costs of hub home foster ((~~families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care~~)) and kinship family constellations, and for a contract with an organization with expertise in implementing the hub home model with fidelity to provide technical assistance to hub home families and the department.

(b) Of the amounts provided in this subsection, $150,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to support long-term implementation of the hub home model, including integrating the hub home model within the department's current and future service array and multi-year expansion planning. The department shall submit a preliminary report to the governor and appropriate legislative committees by December 1, 2022, and a final report to the governor and appropriate legislative committees by June 30, 2023, that details its progress and plans for long-term implementation of the hub home model.

(3) $579,000 of the general fund—state appropriation for fiscal year 2022 and $579,000 of the general fund—state appropriation for fiscal year 2023 and $110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) $1,245,000 of the general fund—state appropriation for fiscal year 2022 and $1,245,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2022 and in fiscal year 2023, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail progress toward meeting the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full time equivalent employee authority, allotments and expenditures by region, office, classification and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) $94,000 of the general fund—state appropriation for fiscal year 2022 and $94,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7)(a) $539,000 of the general fund—state appropriation for fiscal year 2022, ((~~$540,000~~)) $1,000,000 of the general fund—state appropriation for fiscal year 2023, $656,000 of the general fund private/local appropriation, and $252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, ((~~or~~)) regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) $375,000 of the general fund—state appropriation for fiscal year 2022, $375,000 of the general fund—state appropriation for fiscal year 2023, and $112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by November 1, 2022. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(9) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least $3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(10) $2,230,000 of the general fund—state appropriation for fiscal year 2022, $2,230,000 of the general fund—state appropriation for fiscal year 2023, and $156,000 of the general fund—federal appropriation are provided solely to increase the travel reimbursement for in-home service providers.

(11) $197,000 of the general fund—state appropriation for fiscal year 2022 and $197,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(12) $6,195,000 of the general fund—state appropriation for fiscal year 2022, $6,195,000 of the general fund—state appropriation for fiscal year 2023, and $1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(a) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(b) Beginning October 1, 2021, and every quarter thereafter, the department shall publish on its website the rates or fees paid for emergent placement contracts, the number of beds retained, and the number of beds purchased. If the department determines that there is a need to increase the rates or fees paid or the number of beds retained or purchased under this subsection, the secretary shall request authorization from the office of financial management and notify the fiscal committees of the legislature.

(13) Beginning January 1, 2022, and continuing through the 2021-2023 fiscal biennium, the department must provide semi-annual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2022, and to the extent the information is available, the report will include the same information for emergency placement services beds and enhanced emergency placement services beds.

(14) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(15) $600,000 of the general fund—state appropriation for fiscal year 2022 and $600,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(16) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(17) $2,000,000 of the general fund—state appropriation for fiscal year 2022 and $2,000,000 of the general fund—((~~federal~~)) state appropriation for fiscal year 2023 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) $5,500,000 of the ((~~general fund—federal appropriation (ARPA/CSFRF)~~)) coronavirus state fiscal recovery fund—federal appropriation is provided solely for one-time $250 per child grants to families on behalf of up to 22,000 children who may be at risk of child welfare system involvement and have experienced economic impacts of the COVID-19 pandemic.

(19) The department is authorized to use the amounts provided in this section for services and maintenance payments to former dependent youth as authorized and directed in the supporting foster youth and families through the pandemic act, P.L. 116-260, division X.

(20) $387,000 of the general fund—state appropriation for fiscal year 2022, $393,000 of the general fund—state appropriation for fiscal year 2023, and $143,000 of the general fund—federal appropriation are provided solely to increase all fees paid to child-placing agencies by 7.5 percent, effective July 1, 2021.

(21)(a) $739,000 of the general fund—state appropriation for fiscal year 2022, $702,000 of the general fund—state appropriation for fiscal year 2023, and $482,000 of the general fund—federal appropriation are provided solely for the department of children, youth, and families to create and implement a new approach to transition planning for young people preparing to exit the child welfare system and juvenile rehabilitation institutions, pursuant to the recommendations in the *improving stability for youth exiting systems of care* report submitted in January 2020 as required by RCW 43.330.720. The department must engage young people, caregivers, providers, and other stakeholders in the creation and implementation of the approach by:

(i) Providing one statewide adolescent transitions program manager and six adolescent liaisons, one in each region of the department, who are dedicated to supporting the transition planning approaches developed by the department, providing program oversight, and supporting improved outcomes for adolescents during the transition to adulthood; and

(ii) Strengthening the administration and competency of the independent living program and direct independent living services. No later than June 1, 2022, the department must centralize administration of its independent living program and develop a framework for service delivery, including best practice recommendations. The framework must be codesigned with adolescents, caregivers, providers, and stakeholders. No later than June 30, 2022, the department must develop and launch a competitive request for proposal process to solicit bidders to provide independent living services under the new framework.

(b) No later than November 30, 2022, the department must report to the governor and appropriate legislative committees on the implementation of the new approach to transition planning, the new independent living framework, and the state's capacity to provide high-quality transition services, including independent living services, to youth and young adults exiting the child welfare system and juvenile rehabilitation institutions. The report must identify any remaining service gaps that prevent statewide implementation and address the additional resources needed to improve outcomes for young people exiting these systems of care.

(22) $2,400,000 of the general fund—state appropriation for fiscal year 2022 and $2,400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(23) The appropriations in this section include sufficient funding for continued implementation of chapter 80, Laws of 2018 (2SSB 6453) (kinship caregiver legal support).

(24) The appropriations in this section include sufficient funding to implement chapter 51, Laws of 2020 (SHB 2873) (families in conflict).

(25) $511,000 of the general fund—state appropriation for fiscal year 2023 and $153,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1219 (youth counsel/dependency). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(26) $219,000 of the general fund—state appropriation for fiscal year 2022, $208,000 of the general fund—state appropriation for fiscal year 2023, and $295,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1061 (child welfare/developmental disability). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(27) ((~~$29,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to implement Second Substitute House Bill No. 1127 (COVID-19 health data privacy). If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(28)~~)) $451,000 of the general fund—state appropriation for fiscal year 2022 and $662,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with a community organization with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

((~~(29)~~)) (28) $326,000 of the general fund—state appropriation for fiscal year 2022, $326,000 of the general fund—state appropriation for fiscal year 2023, and $148,000 of the general fund—federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 1194 (parent-child visitation). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(30)~~)) (29) $499,000 of the general fund—state appropriation for fiscal year 2022, $499,000 of the general fund—state appropriation for fiscal year 2023, and $310,000 of the general fund—federal appropriation are provided solely to expand the family connections program in two areas of the state in which the program is not already established as of the effective date of this section. One expansion site must be located west of the crest of the Cascade mountain range and the other expansion site must be located east of the crest of the Cascade mountain range. The program expansion must follow the family connections program model pursuant to RCW 74.13.715. To operate the two expansion sites, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program.

((~~(31)~~)) (30) $25,000 of the general fund—state appropriation for fiscal year 2023 and $25,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to implement Engrossed Second Substitute House Bill No. 1227 (child abuse allegations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(32)~~)) (31) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(32) $1,513,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for start-up costs associated with a new behavioral rehabilitation services facility in Vancouver.

(33) $800,000 of the general fund—state appropriation for fiscal year 2023 and $200,000 of the general fund—federal appropriation are provided solely for the department to contract for a child welfare workload study, which must include an evaluation of workload impacts required by state and federal law and make recommendations for staffing models and system improvements.

(a) The study must consider, but is not limited to, enacted laws and forthcoming legislation related to child welfare such as the keeping families together act, chapter 211, Laws of 2021, and the family first prevention services act.

(b) The study must include, at a minimum, all child welfare case-carrying workers including but not limited to: Child protective services, child welfare case workers, and child welfare licensing staff, including foster care assessment, safety and monitoring, and child protective services licensing.

(c) The study must evaluate the workload impacts related to changes in the application of the federal Indian child welfare act, 25 U.S.C. Secs. 1901-1963 and the Washington state Indian child welfare act, chapter 13.38 RCW as required by *In re Dependency of G.J.A., A.R.A., S.S.A., J.J.A., and V.A.*, 197 Wn.2d 868 (2021) and *In re Dependency of Z.J.G. and M.E.J.G.,* 196 Wn.2d 152 (2020).

(d) The department must establish a steering committee inclusive of members who are familiar with public child welfare practice and who have had substantial experience with similar studies. The steering committee members will be appointed by the agency secretary and must include internal and external members.

(e) A final report must also include recommendations to streamline internal processes; to more equitably allocate staff and contracted resources statewide; to reduce workload through technology; to reduce staff attrition; and to increase direct service time. The report must be submitted to the governor and appropriate fiscal committees of the legislature by June 30, 2023.

(34) $10,626,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to contract with a community organization to administer monthly stipends to young adults who were impacted by the federal moratorium that prohibited states from discharging them from extended foster care due to age through September 30, 2021, and young adults who age out of extended foster care between October 1, 2021, and June 30, 2023.

(35) $200,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to contract for a systems assessment of state and federally funded services and benefits for young adults enrolled in or exiting extended foster care and make recommendations to improve the continuum of supports for the extended foster care population to support successful transitions to independent adulthood.

(a) The systems assessment must include, but is not limited to, the following:

(i) A survey of state and federally funded services and benefits, and the utilization of such services and benefits, including but not limited to economic services, housing programs and payment vouchers, independent living programs, educational supports, and access to postsecondary opportunities, including vocational training and placement programs, legal services, navigation assistance, and peer mentoring. The survey must examine how these services and benefits contribute to a continuum of supports for young adults enrolled in extended foster care and those who have exited since September 2021;

(ii) A young adult needs assessment, including collecting data on young adults enrolled in extended foster care and those who have exited since September 2021. The needs assessment must also gauge young adults' awareness of and ability to access the available services and benefits;

(iii) Identification of gaps or redundancies within the existing array of state and federally funded programs serving the extended foster care population;

(iv) Identification of funding sources or programs that could be used to address any gaps in the array of services and benefits available; and

(v) An assessment of the various data systems currently used or capable of being used to report on the young adult population served by the extended foster care program. The data assessment must include a discussion of any system limitations and recommendations to support future data tracking of outcomes for this population.

(b) The department and contractor must engage with state agencies administering relevant programs, contracted organizations serving the extended foster care population, and young adults currently in extended foster care and those who have exited since September 2021 to conduct the systems assessment. A status update must be submitted to the governor and appropriate fiscal and policy committees of the legislature by November 30, 2022. A final report must be submitted to the governor and appropriate fiscal and policy committees by June 30, 2023.

(36) $4,294,000 of the general fund—state appropriation for fiscal year 2022, $17,174,000 of the general fund—state appropriation for fiscal year 2023, and $4,712,000 of the general fund—federal appropriation are provided solely to increase the child visitation hourly reimbursement rate; to reimburse mileage starting from the first mile driven; and to train and provide resources to service providers to provide services that are culturally appropriate in cases where the Indian child welfare act (ICWA) applies.

(37) $8,440,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to increase the reimbursement rates for combined in-home services providers as recommended in the October 2021 combined in-home services cost study.

(38) $850,000 of the general fund—state appropriation for fiscal year 2022 and $2,561,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the foster parent alliance of Washington state to provide parents with individualized education, training, and support to facilitate successful reunification with children in a shorter amount of time and with fewer incidence of return to care.

(39) $767,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to continue the child welfare housing assistance pilot program, created in chapter 328, Laws of 2019, to the end of the fiscal biennium.

(40) $637,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to expand the child welfare housing program that serves families involved in child welfare services who are at risk of out-of-home placement and a lack of appropriate housing is a contributing factor.

(41) $50,000 of the general fund—state appropriation for fiscal year 2022 and $275,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for improving the financial capability of dependent youth.

(a) The department shall develop a report with recommendations of how to improve access to private, self-controlled bank accounts for dependent youth ages 14 and up as well as other strategies for improving financial capability of dependent youth. The department must consult with stakeholders on development of the recommendations and report. The report shall include but is not limited to an analysis of the following:

(i) The documentation and information necessary for youth to establish bank accounts;

(ii) Appropriate mechanisms to support youth in establishing the accounts;

(iii) Issues related to compliance with current state and federal laws that could impact the availability of accounts and release of funds; and

(iv) Data on the number of dependent youth, including youth in extended foster care, ages 14 and up with private, self-controlled bank accounts.

(b) The report must include recommendations on how to ensure statewide access to high quality, developmentally, and culturally appropriate financial education for dependent youth ages 12 and up.

(c) The report must include recommendations for statutory or policy changes, including the number of youth who have established a private self-controlled bank account, to implement the recommendations of the report.

(d) The analysis and recommendations are due to the appropriate committees of the legislature by December 1, 2022, in compliance with RCW 43.01.036.

**Sec.**  2021 c 334 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$127,325,000~~))

$123,710,000

General Fund—State Appropriation (FY 2023) ((~~$129,690,000~~))

$131,775,000

General Fund—Federal Appropriation ((~~$3,464,000~~))

$694,000

General Fund—Private/Local Appropriation ((~~$1,787,000~~))

$174,000

Washington Auto Theft Prevention Authority Account—

State Appropriation $196,000

TOTAL APPROPRIATION ((~~$262,462,000~~))

$256,549,000

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

(1) ((~~$331,000 of the general fund—state appropriation for fiscal year 2022 and $331,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.~~

~~(2)~~)) $2,841,000 of the general fund—state appropriation for fiscal year 2022 and $2,841,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to county juvenile courts for the juvenile justice programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

((~~(3)~~)) (2) $1,537,000 of the general fund—state appropriation for fiscal year 2022 and $1,537,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

((~~(4)~~)) (3)(a) $6,198,000 of the general fund—state appropriation for fiscal year 2022 and $6,198,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (d)(ii) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

((~~(5) $1,352,000~~)) (4) $645,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,352,000~~)) $645,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for funding of the teamchild project.

((~~(6) $283,000 of the general fund—state appropriation for fiscal year 2022 and $283,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the juvenile detention alternatives initiative.~~

~~(7)~~)) (5) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

((~~(8)~~)) (6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

((~~(9)~~)) (7) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

((~~(10)~~)) (8) $432,000 of the general fund—state appropriation for fiscal year 2022 and $432,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

((~~(11)~~)) (9) $100,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to assess the juvenile court assessment tool. The juvenile rehabilitation program shall contract with the Washington state institute for public policy to review the standardized juvenile court assessment tool to access whether it accurately determines eligibility criteria and properly assigns youth to programs that meet their needs. The institute must work in collaboration with the juvenile block grant proviso committee.

((~~(12)~~)) (10)(a) $773,000 of the general fund—state appropriation for fiscal year 2022 and $986,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1186 (concerning juvenile rehabilitation community transition services). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(b) Of the amounts provided in (a) of this subsection, $50,000 of the general fund—state appropriation for fiscal year 2022 and $105,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for housing vouchers.

((~~(13)~~)) (11) $128,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1295 (institutional ed./release). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(14)~~)) (12) $122,000 of the general fund—state appropriation for fiscal year 2022 and $123,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5118 (supporting successful reentry). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(15)~~)) (13) Sufficient funding is provided within this section for implementation of Engrossed Second Substitute Senate Bill No. 5304 (reentry services/state and local institutions).

((~~(16)~~)) (14) Within existing resources, the department shall evaluate the Martin hall juvenile detention facility located in Medical Lake as an option for increased capacity needs for the juvenile rehabilitation program.

(15) $703,000 of the general fund—state appropriation for fiscal year 2022 and $848,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute Senate Bill No. 5535 (repealing requirements for parent payment of the cost of their child's support, treatment, and confinement in juvenile rehabilitation residential facilities). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(16) $295,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the expansion of exercise and wellness opportunities for residents at the Naselle youth camp.

(17) $2,100,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for maintaining staffing levels at juvenile rehabilitation facilities independent from fluctuating caseloads.

**Sec.**  2021 c 334 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$289,936,000~~))

$252,370,000

General Fund—State Appropriation (FY 2023) ((~~$348,787,000~~))

$408,090,000

General Fund—Federal Appropriation ((~~$1,066,945,000~~))

$1,145,913,000

General Fund—Private/Local Appropriation ((~~$86,000~~))

$100,000

Education Legacy Trust Account—State Appropriation ((~~$28,127,000~~))

$28,175,000

Home Visiting Services Account—State Appropriation ((~~$23,966,000~~))

$25,585,000

Home Visiting Services Account—Federal Appropriation $29,776,000

Washington Opportunity Pathways Account—State

Appropriation $80,000,000

Workforce Education Investment Account—State

Appropriation $8,482,000

TOTAL APPROPRIATION ((~~$1,876,105,000~~))

$1,978,491,000

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

(1)(a) ((~~$80,273,000~~)) $82,040,000 of the general fund—state appropriation for fiscal year 2022, ((~~$119,932,000~~)) $134,730,000 of the general fund—state appropriation for fiscal year 2023, $24,070,000 of the education legacy trust account—state appropriation, $80,000,000 of the opportunity pathways account—state appropriation, and $25,452,000 of the general fund—federal appropriation (CRRSA/GEER) are provided solely for the early childhood education and assistance program. These amounts shall support at least 15,162 slots in fiscal year 2022 and 15,912 slots in fiscal year 2023. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in this subsection, $14,930,000 of the general fund—state appropriation for fiscal year 2023 and $14,889,000 of the general fund—federal appropriation (CRRSA/GEER) are for a slot rate increase of ten percent beginning July 1, 2021. The funding provided in this subsection is sufficient for the department to increase rates according to inflation, pursuant to Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.), beginning in fiscal year 2023 and annually thereafter.

(c) Of the amounts provided in this subsection, $1,358,000 of the general fund—state appropriation for fiscal year 2022 and $4,612,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to provide early childhood education and assistance program services during summer 2022 to 2,212 part day program slots, including 2,011 slots in an in-person learning program and 201 slots provided other additional services.

(d) Of the amounts provided in this subsection, $9,327,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the conversion of 2,077 part day program slots to 1,765 full day slots and 312 extended day slots.

(e) Of the amounts provided in this subsection, $409,000 of the general fund—state appropriation for fiscal year 2022 and $859,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a $54 per slot quality support rate, which will increase by 1.5 percent annually beginning in fiscal year 2024.

(f) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(3) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(4) The legislature recognizes that the federal government has provided substantial additional funding through the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. and the American rescue plan act of 2021, P.L. 117-2. The purpose of the additional federal funding is to ensure access to affordable child care and to stabilize and support child care providers from the effects of the COVID-19 pandemic. The legislature intends with the passage of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.) to implement these federal purposes by expanding eligibility for subsidized child care, reducing parent copayments, increasing provider base rates to recognize increased costs, and providing other financial support to stabilize the child care sector to remain open or to reopen. The legislature finds that the state lacked the fiscal capacity to make these investments and the additional federal funding has provided the opportunity to supplement state funding to expand and accelerate child care access, affordability, and provider support as the state navigates the COVID-19 pandemic and its aftermath.

(5) ((~~$20,110,000 of the general fund—state appropriation in fiscal year 2022, $45,757,000~~)) $50,861,000 of the general fund—state appropriation in fiscal year 2023, $8,482,000 of the workforce education investment account—state appropriation, $283,375,000 of the general fund—federal appropriation, $59,893,000 of the general fund—federal appropriation (CARES), ((~~$65,482,000~~)) $98,723,000 of the general fund—federal appropriation (CRRSA), and ((~~$111,252,000~~)) $153,814,000 of the general fund—federal appropriation (ARPA) are provided solely for the working connections child care program under RCW 43.216.135. Of the amounts provided in this subsection:

(a) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2022, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(b) $6,390,000 is for the compensation components of the 2021-2023 collective bargaining agreement covering family child care providers as provided in section 947 of this act. Of the amounts provided in this subsection:

(i) $4,410,000 is for a 35 cent per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2022;

(ii) $854,000 is to increase the rate paid to providers who reach level 3.5 of the state's early achievers quality rating system by two percent beginning July 1, 2021; and

(iii) $1,126,000 is to increase the nonstandard hour care rate by $10.00 per child per month beginning July 1, 2021.

(c) $42,562,000 of the general fund—federal appropriation (ARPA) and $2,785,000 of the general fund—federal appropriation (CRRSA) are provided solely for the implementation of an agreement reached between the governor and the service employees international union local 925 for a cost of care rate enhancement for family child care providers under the provisions of chapter 41.56 RCW for fiscal year 2023 as provided in section 936 of this act.

(d) $49,600,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to increase child care center subsidy base rates by 16 percent beginning July 1, 2022.

(e) $21,215,000 of the general fund—federal appropriation (CRRSA) is provided solely for enrollment based payments from April 2022 through June 2022.

(f) $59,893,000 of the general fund—federal appropriation (CARES), $65,925,000 of the general fund—federal appropriation (CRRSA), and $99,918,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working child care connections program, pursuant to Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). Of the amounts provided in this subsection:

(i) $28,759,000 of the general fund—federal appropriation (CARES), $11,993,000 of the general fund—federal appropriation (CRRSA), and $35,979,000 of the general fund—federal appropriation (ARPA) are provided solely for the implementation of reduced household child care monthly copayments. For households at or below 50 percent of the state median income, copayments are capped at $115 through January 1, 2022, and $90 from January 1, 2022, through fiscal year 2023. For households at or below 60 percent of the state median income, copayments are capped at $115 through June 30, 2023.

(ii) $31,134,000 of the general fund—federal appropriation (CARES), $40,195,000 of the general fund—federal appropriation (CRRSA), and $45,476,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market for child care providers. The state and the representative for family child care providers must enter into bargaining over the implementation of subsidy rate increases, and apply those increases consistent with the terms of this proviso and the agreement reached between the parties.

(iii) $3,930,000 of the general fund—federal appropriation (CRRSA) and $4,903,000 of the general fund—federal appropriation (ARPA) are provided solely to waive work requirements for student parents utilizing the working connections child care program.

(iv) $6,726,000 of the general fund—federal appropriation (CRRSA) and $10,633,000 of the general fund—federal appropriation (ARPA) are provided solely to expand eligibility for the working connections child care program to households at or below 60 percent of state median income, beginning October 1, 2021.

(v) $1,549,000 of the general fund—federal appropriation (CRRSA) and $982,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to implement an infant rate enhancement for child care providers.

((~~(d) In order to not exceed the appropriated amount, the department shall manage the program so that the average monthly caseload does not exceed 33,000 households and the department shall give prioritized access into the program according to the following order:~~

~~(i) Families applying for or receiving temporary assistance for needy families (TANF);~~

~~(ii) TANF families curing sanction;~~

~~(iii) Foster children;~~

~~(iv) Families that include a child with special needs;~~

~~(v) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center;~~

~~(vi) Families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department in the past six months, and have received a referral for child care as part of the family's case management;~~

~~(vii) Families that received subsidies within the last thirty days and:~~

~~(A) Have reapplied for subsidies; and~~

~~(B) Have household income of 60 percent of the state median income or below; and~~

~~(viii) All other eligible families.~~

~~(e)~~)) (g) On July 1, 2021, and July 1, 2022, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(i) A summary of the number of overpayments that occurred;

(ii) The reason for each overpayment;

(iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(6) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(7) $623,000 of the general fund—state appropriation for fiscal year 2022, $935,000 of the general fund—state appropriation for fiscal year 2023, and $6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(8) $871,000 of the general fund—state appropriation for fiscal year 2022 and $871,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a pilot project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2022.

(9)(a) $5,899,000 of the general fund—state appropriation for fiscal year 2022 and $8,382,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(b) Of the amounts provided in this subsection (9), $1,246,000 of the general fund—state appropriation for fiscal year 2022 and $3,719,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the expansion of ECLIPSE services, pursuant to Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). Funding provided for the expansion of services is intended to serve new geographic areas not currently served by ECLIPSE services. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection (9)(b) shall lapse.~~))

(10) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(11) $1,728,000 of the general fund—state appropriation for fiscal year 2022 and $1,728,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(12) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(13) $4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(14) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(15) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 202, Laws of 2017 (children's mental health).

(16) Within existing resources, the department shall implement chapter 409, Laws of 2019 (early learning access).

(17)(a) $7,355,000 of the general fund—state appropriation for fiscal year 2022, $11,126,000 of the general fund—state appropriation for fiscal year 2023, $11,032,000 of the general fund—federal appropriation (CRRSA), and $9,632,000 of the general fund—federal appropriation (ARPA) are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~)) The legislature intends for the appropriations provided in this subsection to stabilize and support child care providers and early learning contractors and to expand families' access to affordable, quality child care and early learning during and after the COVID-19 public health emergency. Of the amounts provided in this subsection:

(i) $2,535,000 of the general fund—state appropriation for fiscal year 2022, $2,535,000 of the general fund—state appropriation for fiscal year 2023, and $4,604,000 of the general fund—federal appropriation (CRRSA) are provided solely for the implementation of complex needs funds.

(ii) $966,000 of the general fund—federal appropriation (CRRSA) and $1,836,000 of the general fund—federal appropriation (ARPA) are provided solely for the implementation of trauma-informed care supports.

(iii) $180,000 of the general fund—state appropriation for fiscal year 2022 and $3,200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement dual language rate enhancements.

(iv) $671,000 of the general fund—state appropriation for fiscal year 2022, $656,000 of the general fund—state appropriation for fiscal year 2023, and $3,982,000 of the general fund—federal appropriation (ARPA) are provided solely for the implementation of equity grants.

(v) $773,000 of the general fund—state appropriation for fiscal year 2022, ((~~$773,000~~)) $1,033,000 of the general fund—state appropriation for fiscal year 2023, $1,500,000 of the general fund—federal appropriation (CRRSA), and $900,000 of the general fund—federal appropriation (ARPA) are provided solely for infant and early childhood mental health consultation. Of the amount provided in this subsection, $260,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to contract for two tribal mental health consultants, one located east of the crest of the Cascade mountains and one located west of the crest of the Cascade mountains, who will provide culturally relevant infant and early childhood mental health supports for tribal child care and early learning programs. The department must consult with federally recognized tribes through the Indian policy early learning committee during the contracting process for the tribal mental health consultants.

(vi) $365,000 of the general fund—federal appropriation (CRRSA) and $495,000 of the general fund—federal appropriation (ARPA) are provided solely for the expansion of family, friend, and neighbor child care play and learn groups.

(vii) $930,000 of the general fund—state appropriation for fiscal year 2022, $1,075,000 of the general fund—state appropriation for fiscal year 2023, $3,597,000 of the general fund—federal appropriation (CRRSA), and $2,419,000 of the general fund—federal appropriation (ARPA) are provided solely for the implementation of trainings, early achievers scholarships, and other professional development activities. Amounts provided in this subsection may be used to contract with a nonprofit organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers.

(viii) $1,585,000 of the general fund—state appropriation for fiscal year 2022 and $2,196,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to expand the birth-to-three early childhood education and assistance program.

(ix) $421,000 of the general fund—state appropriation for fiscal year 2022 and $408,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to collaborate with the department of commerce on technical assistance to employers interested in providing child care to employees.

(b) The state and the representative for family child care providers must enter into bargaining over the implementation of grants and rate increases included in this proviso, and apply those increases consistent with the terms of this proviso and the agreement reached between the parties.

(18) $265,000 of the general fund—state appropriation for fiscal year 2022 and $265,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19)(a) $414,000 of the general fund—federal appropriation (ARPA) is provided solely for the department to establish a pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

(i) One governmental agency;

(ii) One nonprofit organization; and

(iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the relevant committees of the legislature recommendations on whether to permanently implement this license category and what, if any, changes are needed to law to accomplish this.

(20)(a) $2,771,000 of the home visiting account—state appropriation for fiscal year 2022, $5,299,000 of the home visiting account—state appropriation for fiscal year 2023, and $3,000,000 of the general fund—federal appropriation (ARPA) are provided to expand home visiting services, enhance data collection, and support the local implementing agencies providing home visiting services. The department shall:

(i) Contract with local implementing agencies to expand home visiting services by October 1, 2021; and

(ii) Provide semiannual updates to the home visiting advisory committee established in RCW 43.216.130 that includes an updated number of families served in home visiting programs and a status of the home visiting services account balance.

(iii) The home visiting advisory committee established in RCW 43.216.130 shall make recommendations to the department and the legislature by June 1, 2022, containing strategies for supporting home visiting providers and serving additional families. Recommendations should include, but are not limited to, strategies in the 2019 report to the legislature *Opportunities and Considerations for Expanding Home Visiting Services in Washington State*, such as enhancing data system collections and reporting, professional development supports, and rate adjustments to reimburse for the true cost of service delivery.

(b) Of the amounts provided in (a) of this subsection, $2,528,000 of the home visiting account—state appropriation for fiscal year 2023 and $3,000,000 of the general fund—federal appropriation (ARPA) are provided for additional home visiting services in order to implement Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(21) The appropriations in this section are sufficient funding to implement section 29 of Substitute Senate Bill No. 5151 (foster care & child care).

(22)(a) $390,600,000 of the general fund—federal appropriation (ARPA) and $9,400,000 of the general fund—federal appropriation (CARES) are provided solely for the department to distribute grants to child care providers to stabilize the child care industry as part of the state's response to the COVID-19 public health emergency. Child care providers are eligible for grants if they are eligible for child care development fund moneys or if they are licensed, regulated, or registered within the state. The funding provided in this subsection must be expended consistent with federal law. Of the amounts provided in this subsection:

(i) $27,342,000 of the general fund—federal appropriation (ARPA) is provided solely for the department to administer the grant program, including but not limited to costs related to creating and administering the online grant application, providing technical assistance and support for applying for and accessing the grants, publicizing the availability of the grants, and processing applications on a rolling basis.

(ii) $11,718,000 of the general fund—federal appropriation (ARPA) is provided solely for the department to contract with an organization to provide language access support to child care providers during the grant application process, including but not limited to translation services, community-based support related to the grant application process, and other grant application support.

(iii) $351,540,000 of the general fund—federal appropriation (ARPA) and $9,400,000 of the general fund—federal appropriation (CARES) are provided solely for child care stabilization grants to eligible child care providers as defined in section 2202 of the American rescue plan act of 2021 (ARPA). In applying for grants, child care providers are expected to meet the certification requirements defined in section 2202(d)(2)(D)(i) of ARPA. To the extent practicable, at least 10 percent of each grant awarded to an eligible child care provider must be used for compensation increases to employees working at a provider's facility. The department must make its best efforts to distribute 75 percent of the funding provided in this subsection by January 1, 2022, with the remaining 25 percent distributed by June 30, 2022. To the extent practicable, the department must prioritize: Providers in child care deserts; providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity across the state. In processing applications, to the extent practicable the department must also prioritize grant applications that include funding for the following purposes:

(A) Rent or mortgage payments;

(B) Copayment or tuition waivers for families receiving care, including refunds or credits to families who are not attending but are paying tuition in order to maintain a child's spot in the facility;

(C) Child care for historically disadvantaged populations;

(D) Child care during the summer months;

(E) Child care during nonstandard hours;

(F) Child care for school-age children;

(G) Outreach to families who may have stopped attending due to cost;

(H) Mental health supports for children and employees;

(I) Broadband access for child care providers that care for school-age children; and

(J) Personnel costs, including compensation, benefits, health care premium pay, or paid leave.

(b) Nothing in this subsection changes the department's responsibility to collectively bargain over mandatory subjects consistent with RCW 41.56.028(3) or limits the legislature's authority to make programmatic modifications to licensed child care and early learning programs consistent with legislative reservation of rights under RCW 41.56.028(4)(d).

(23) $500,000 of the general fund—federal appropriation (CARES) is provided solely for the department to hire two temporary language access coordinators with specialties in Spanish and Somali to address immediate language access needs at the department related to COVID-19 child care relief and recovery in department programs, including but not limited to:

(a) Translation of department materials;

(b) Outreach to community organizations serving multilingual children and families regarding department programs;

(c) Webinars and other technical assistance provided in Spanish and Somali for department programs; and

(d) Other means of increasing language access and equity for early learning providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(24) $100,000 of the general fund—state appropriation for fiscal year 2022 and $30,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to convene a work group that assesses and provides recommendations for creating new infrastructures and funding streams that support youth development. The work group must include representatives from community-based organizations providing youth development programs, including expanded learning, mentoring, school age child care, and wrap around supports and integrated student support. The department must report its findings and recommendations to the governor and legislature by September 1, 2022. The report must include the following recommendations:

(a) Programmatic changes for breaking down silos and barriers for youth programming between state agencies;

(b) The appropriate program within the department to develop meaningful youth-level, research-based prevention and promotion outcomes, and to support community-based organizations providing those outcomes;

(c) The establishment of a state grant program to provide quality youth development opportunities for children and youth ages five through high school graduation; and

(d) Strategies to increase access to youth development programs for prioritized populations such as children of color, foster children, children experiencing homelessness, and children involved in the justice system.

(25) ((~~$27,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Second Substitute House Bill No. 1127 (COVID-19 health data privacy). If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(26)~~)) $5,548,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

((~~(27)~~)) (26)(a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

((~~(28)~~)) (27) Funding in this section is sufficient for the department to collaborate with the department of commerce to jointly convene and facilitate a child care collaborative task force to continue the work of the task force created in chapter 368, Laws of 2019 (2SHB 1344) to establish a true cost of quality of child care. The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by November 1, 2022.

((~~(29)~~)) (28) $900,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to provide early childhood education and assistance program services during July and August of 2021 to address learning loss and to meet the unique educational and other needs of 468 children whose enrollment was interrupted or delayed due to the COVID-19 public health emergency.

(29) $1,267,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to pay the application and fingerprint processing fees on behalf of child care providers to reduce the time involved to complete background checks.

(30) $900,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington communities for children for costs to complete its work pursuant to a federal preschool development grant that expires at the end of calendar year 2022. Allowable costs are only those incurred from January 2023 through June 2023.

(31) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided, one-time, solely to contract with a comprehensive clinic, serving King and Snohomish counties, with specific expertise in prenatal substance exposure treatment. This service is to be offered to children in the child welfare system and the contractor shall prioritize children who are at risk of being removed from the home, were recently reunified, or who have experienced multiple placements and are at risk for additional placements, or other prioritization as determined by the department.

(32) $640,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to help expand and support family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. Funding provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

**Sec.**  2021 c 334 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2022) ((~~$171,339,000~~))

$189,387,000

General Fund—State Appropriation (FY 2023) ((~~$171,554,000~~))

$199,523,000

General Fund—Federal Appropriation ((~~$194,079,000~~))

$187,603,000

General Fund—Private/Local Appropriation ((~~$394,000~~))

$459,000

Education Legacy Trust Account—State Appropriation $180,000

Home Visiting Services Account—State Appropriation ((~~$458,000~~))

$472,000

Home Visiting Services Account—Federal Appropriation $380,000

TOTAL APPROPRIATION ((~~$538,384,000~~))

$578,004,000

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

(1) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2)(a) $1,000 of the general fund—state appropriation for fiscal year 2022, $1,000 of the general fund—state appropriation for fiscal year 2023, and $2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium, as provided in section 945 of this act.

(b) $6,000 of the general fund—state appropriation for fiscal year 2023 and $2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for fiscal year 2023 as provided in section 934 of this act.

(3) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) $505,000 of the general fund—state appropriation for fiscal year 2022 and $505,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to collaborate with the office of the superintendent of public instruction to complete a report with options and recommendations for administrative efficiencies and long-term strategies that align and integrate high-quality early learning programs administered by both agencies and consistent with implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care dev. exp.). The report, due September 1, 2022, shall address capital needs, data collection and data sharing, licensing changes, quality standards, options for community-based and school-based settings with inclusive facilities and operations, fiscal modeling, statutory changes needed to achieve administrative efficiencies, and all other requirements of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.).

(5) Within existing resources, the department shall submit a brief report to the governor and appropriate legislative committees by December 1, 2022, outlining options for creating a new dedicated account for adoption support that will meet 42 U.S.C. Sec. 473 requirements. The report shall include a methodology for calculating savings in a manner that can be incorporated into the adoption support forecast budget process, statutory needs, and expenditure guidelines for the account.

(6) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a statewide nonprofit with demonstrated capability of partnering with state agencies and community organizations to develop public-facing regionalized data dashboards and reports to support the goals of the department and the early learning advisory council, pursuant to Engrossed Second Substitute Senate Bill No. 5237 (child care & early learning dev. exp.).

(7) $2,500,000 of the general fund—state appropriation for fiscal year 2022, $2,500,000 of the general fund—state appropriation for fiscal year 2023, and $5,000,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1227 (child abuse allegations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(8) $20,000 of the general fund—state appropriation for fiscal year 2022 and $20,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5118 (reentry). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(9) $6,532,000 of the general fund—state appropriation for fiscal year 2022, $7,385,000 of the general fund—state appropriation for fiscal year 2023, and $6,083,000 of the general fund—federal appropriation (CRRSA) are provided solely for the department to migrate the social service payment system to a cloud-based payment system in order to implement child care stabilization grants, child care subsidy rate enhancements, and other payments intended to support child care providers during and after the COVID-19 public health emergency, to implement changes to the social service payment system necessary to implement these payments, and for other improvements necessary for the successful implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). The amounts in this section are subject to the conditions, limitations, and review provided in section 701 of this act.

(10) $250,000 of the general fund—federal appropriation (CARES) is provided solely for the department to develop or contract to develop a language access plan that addresses equity and access for immigrant, multilingual providers, caregivers, and families. The plan must be submitted to the appropriate committees of the legislature by June 30, 2022. The plan must include, but is not limited to, the following:

(a) A needs assessment and staffing recommendation for program accessibility at the department for individuals with limited English and a geographic landscape analysis of language needs for providers, caregivers, and families in their interactions with the department;

(b) A review of successful language access policies and practices in public agencies to effectively address the needs of non-English speaking families, providers, and other stakeholders;

(c) An alignment of best practices across the department in multilingual workforce development;

(d) A framework for proactive community engagement to provide child care providers, early learning providers, or families that speak languages other than English access to information and support in navigating English-dominant state resources at the department;

(e) Recommendations for a continuous improvement model of measuring progress and success in language access at the department; and

(f) Compliance with federal and state laws at the department.

(11) $40,000 of the general fund—federal appropriation (CRRSA) is provided solely for the department to establish a process for informing, upon clearance of required background checks, employees of licensed family home, center-based, and outdoor nature-based childcares about available financial supports and options for accessing health coverage. On at least an annual basis, no less than 45 days before the start of open-enrollment, the department must share with the health benefits exchange (exchange) and designated navigator organizations, but no additional third-party entity, workforce data identifying licensed childcare employees for the sole purpose of outreach, enrollment, verification, and other program implementation activities identified by the exchange. The department must share with the exchange and designated navigator organizations, but no additional third-party entity, workforce data identifying newly licensed childcare employees on an ongoing basis as needed during the plan year for the sole purpose of outreach, enrollment, verification, and other program implementation activities identified by the exchange.

(12) $1,494,000 of the general fund—federal appropriation is provided solely for the department to implement the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

(13) $267,000 of the general fund—state appropriation for fiscal year 2022, $717,000 of the general fund—state appropriation for fiscal year 2023, and $223,000 of the general fund—federal appropriation are provided solely for the implementation of Second Substitute House Bill No. 1219 (youth counsel/dependency). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) $85,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1295 (institutional ed/release). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(15) $848,000 of the general fund—state appropriation for fiscal year 2022, $848,000 of the general fund—state appropriation for fiscal year 2023, and $384,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1194 (parent-child visitation). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(16) $1,292,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to expand its housing pilot to two additional sites. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

(17) $32,000 of the general fund—state appropriation for fiscal year 2022, $64,000 of the general fund—state appropriation for fiscal year 2023, and $24,000 of the general fund—federal appropriation are provided solely for the extraordinary litigation expenses of the attorney general's office related to the case of *D.S., et al. v. DCYF*, United States district court western district of Washington case no. 2:21-cv-00111-BJR.

**PART III**

**NATURAL RESOURCES**

**Sec.**  2021 c 334 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2022) $752,000

General Fund—State Appropriation (FY 2023) ((~~$820,000~~))

$842,000

General Fund—Federal Appropriation $32,000

General Fund—Private/Local Appropriation ((~~$1,354,000~~))

$1,373,000

TOTAL APPROPRIATION ((~~$2,958,000~~))

$2,999,000

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

(1) $94,000 of the general fund—state appropriation for fiscal year 2022 and $94,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) $88,000 of the general fund—state appropriation for fiscal year 2022, $125,000 of the general fund—state appropriation for fiscal year 2023, and $213,000 of the general fund—private/local appropriation are provided solely for the access database replacement project, and is subject to the conditions, limitations, and review provided in section 701 of this act.

**Sec.**  2021 c 334 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2022) ((~~$47,364,000~~))

$46,009,000

General Fund—State Appropriation (FY 2023) ((~~$39,868,000~~))

$52,681,000

General Fund—Federal Appropriation ((~~$98,760,000~~))

$101,333,000

General Fund—Private/Local Appropriation ((~~$26,999,000~~))

$27,580,000

Reclamation Account—State Appropriation ((~~$4,286,000~~))

$4,434,000

Flood Control Assistance Account—State Appropriation ((~~$4,066,000~~))

$4,186,000

Aquatic Lands Enhancement Account—State

Appropriation $150,000

State Emergency Water Projects Revolving Account—

State Appropriation $40,000

Waste Reduction, Recycling, and Litter Control

Account—State Appropriation ((~~$26,666,000~~))

$29,132,000

State Drought Preparedness and Response Account—

State Appropriation ((~~$204,000~~))

$2,204,000

State and Local Improvements Revolving Account—Water

Supply Facilities—State Appropriation $186,000

Water Rights Tracking System Account—State

Appropriation $48,000

Site Closure Account—State Appropriation $582,000

Wood Stove Education and Enforcement Account—State

Appropriation ((~~$567,000~~))

$580,000

Worker and Community Right to Know Fund—State

Appropriation ((~~$1,968,000~~))

$2,044,000

Water Rights Processing Account—State Appropriation $39,000

Water Quality Permit Account—State Appropriation ((~~$46,578,000~~))

$49,808,000

Underground Storage Tank Account—State Appropriation ((~~$3,876,000~~))

$4,204,000

Biosolids Permit Account—State Appropriation ((~~$2,594,000~~))

$2,721,000

Hazardous Waste Assistance Account—State

Appropriation ((~~$7,389,000~~))

$7,717,000

Radioactive Mixed Waste Account—State Appropriation ((~~$22,281,000~~))

$23,477,000

Air Pollution Control Account—State Appropriation ((~~$4,135,000~~))

$4,343,000

Oil Spill Prevention Account—State Appropriation ((~~$6,446,000~~))

$7,470,000

Air Operating Permit Account—State Appropriation ((~~$4,786,000~~))

$4,993,000

Wastewater Treatment Plant Operator Certification

Account—State Appropriation $552,000

Oil Spill Response Account—State Appropriation $7,076,000

Model Toxics Control Operating Account—State

Appropriation ((~~$283,123,000~~))

$289,816,000

Model Toxics Control Operating Account—Local

Appropriation $499,000

Voluntary Cleanup Account—State Appropriation $344,000

Paint Product Stewardship Account—State

Appropriation $140,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) ((~~$270,000~~))

$284,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$276,000~~))

$464,000

Water Pollution Control Revolving Administration

Account—State Appropriation ((~~$4,566,000~~))

$5,462,000

Clean Fuels Program Account—State Appropriation ((~~$382,000~~))

$402,000

Climate Investment Account—State Appropriation ((~~$5,139,000~~))

$6,997,000

Model Toxics Control Stormwater Account—State

Appropriation $8,500,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $146,000

TOTAL APPROPRIATION ((~~$652,245,000~~))

$696,643,000

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

(1) ((~~$910,000 of the model toxics control operating account—state appropriation is~~)) $455,000 of the general fund—state appropriation for fiscal year 2022 and $455,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to grant to the northwest straits commission to distribute equally among the seven Puget Sound marine resource committees.

(2) $2,024,000 of the model toxics control operating account—state appropriation is provided solely for additional staff to process an increased workload of clean water act certification requests and to process all United States army corps of engineers permitted projects in Washington within the sixty-day processing requirement, should it be implemented.

(3) ((~~Within the amounts appropriated in this section,~~)) $287,000 of the oil spill prevention account—state appropriation is provided solely for the department ((~~must~~)) to adopt rules to implement the provisions of RCW 88.40.025.

(4) $739,000 of the general fund—state appropriation for fiscal year 2022 and $363,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1050 (fluorinated gases). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $2,277,000 of the general fund—state appropriation for fiscal year 2022, $897,000 of the general fund—state appropriation for fiscal year 2023, and $382,000 of the clean fuels program account—state appropriation are provided solely for the implementation of Engrossed Third Substitute House Bill No. 1091 (transportation fuel/carbon). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(6) $262,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1382 (salmon recovery projects). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(7) $170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(8) ((~~$204,000 of the model toxics control operating account—state appropriation is~~)) $102,000 of the general fund—state appropriation for fiscal year 2022 and $102,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(9) $14,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(10) $150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(11) $588,000 of the general fund—state appropriation for fiscal year 2022 and $662,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to address outstanding water rights issues. Of the amounts provided in this subsection:

(a) $463,000 of the general fund—state appropriation for fiscal year 2022 and $537,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for preparation and filing of adjudications of state water rights in the Nooksack (water resource inventory area 1) and lake Roosevelt and middle tributaries (water resource inventory area 58) watersheds. The department will not file an adjudication in water resource inventory area 1 prior to June 1, 2023; and

(b) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for Whatcom county to support a collaborative process among local water users and water right holders that can complement water rights adjudication in the Nooksack (water resources inventory area 1) watershed. Funding is provided for facilitation and mediation among parties, development of planning and technical information, and assessment of local solutions. At a minimum, the collaborative process must seek to provide opportunities for discussion of increasing salmon populations and preserving farmland.

(12) ((~~$242,000~~)) $178,000 of the model toxics control operating account—state appropriation is provided solely for an equipment cache grant for the Jamestown S'klallam Tribe for a new response vehicle.

(13) $398,000 of the model toxics control operating account—state appropriation is provided solely for consumer product testing data validation services to support increases to the agency's product testing program.

(14) $2,305,000 of the model toxics control operating account—state appropriation is provided solely to increase the department's capacity to test for toxics in children's products and other general consumer goods, to implement needed policy changes resulting from product testing, to communicate results to the public, and to conduct a feasibility study to add an inorganics component to the plan for new laboratory space at the department's headquarters building in Lacey, Washington.

(15) $497,000 of the general fund—state appropriation for fiscal year 2022 and $497,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to provide grants to conservation organizations and certain tribes for the purpose of coordination, monitoring, and research related to Puget Sound kelp conservation and recovery. Of the amounts provided in this subsection the department shall distribute grants as follows: $175,000 each fiscal year to the Northwest Straits commission; $72,000 each fiscal year to the Lower Elwha Klallam Tribe; $100,000 each fiscal year to the Samish Indian Nation; and $150,000 each fiscal year to the Puget Sound Restoration Fund.

(16) $2,000,000 of the model toxics control operating account—state appropriation is provided solely for the Spokane river regional toxics task force to address elevated levels of polychlorinated biphenyls in the Spokane river.

(17) ((~~$150,000~~)) $30,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $120,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to grant to Clark county for the purpose of designing the process for developing a long-term plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water, as well as designing an institutional structure to take responsibility for the plan's implementation in a financially sustainable manner. The plan will build on existing work completed by the county, state agencies, and nonprofit organizations. The department will support the work of the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, the department of fish and wildlife, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the lake's health. The design should address timelines for plan development, roles and responsibilities of governmental and nonprofit entities, potential funding sources and options for plan implementation, including formation of a potential lake management district under chapter 36.61 RCW, and the management objectives to be included in the plan.

(18) $80,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to work with the Guemes island planning advisory committee to follow on to a United States geologic survey study of the island's aquifer recharge areas, quantify an updated water budget, and provide an accurate water-level analysis and water-table map of the two aquifers on the island.

(19) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to support the Pierce county health department and the friends of Spanaway lake to treat and clean up elevated phosphorus and algae levels in Spanaway lake.

(20) $92,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to San Juan county for a study to build on the existing knowledge of the islands' water resources to gain a current understanding of the state of groundwater in the county, including hydrologic data evaluation, completing recharge estimates, and updating the water balance.

(21) $146,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to work with landowners, state agencies, and others to analyze the water quality of Deep lake.

(22) $195,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out an assessment of potential hazards of 6PPD (CAS 793-24-8) and other chemicals or chemical classes and breakdown products used as anti-oxidants and/or antiozonants in tires and submit a technical memo to the appropriate committees of the legislature by December 1, 2021.

(23) $523,000 of the model toxics control operating account—state appropriation is provided solely for the department to work with the department of transportation, University of Washington-Tacoma, and Washington State University-Puyallup to identify priority areas affected by 6PPD or other related chemicals toxic to aquatic life from roads and transportation infrastructure and on best management practices for reducing toxicity. This includes developing a standard method for the laboratory measurement of 6PPD-quinone and related chemicals. The department will submit a report to the appropriate committees of the legislature by November 1, 2022.

(24) $1,090,000 of the general fund—state appropriation for fiscal year 2022 and $1,090,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to create a database, monitoring program, and laboratory assessment method regarding polychlorinated biphenyls (PCB). ((~~Within~~)) Of the amount provided in this subsection, $440,000 is provided to enhance the environmental information management database; $1,200,000 is provided to create a long-term statewide PCB monitoring program; and $540,000 is provided for developing a PCB specific laboratory method for conducting analysis. The department must coordinate with the department of fish and wildlife on the implementation of this subsection and for recommending PCB clean-up projects for legislative funding in subsequent appropriations.

(25) $847,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5022 (recycling, waste, & litter). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(26) $11,716,000 of the general fund—state appropriation for fiscal year 2022, $6,284,000 of the general fund—state appropriation for fiscal year 2023, and $5,139,000 of the climate investment account—state appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5126 (climate commitment act). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(27) $95,000 of the general fund—state appropriation for fiscal year 2022, $105,000 of the general fund—state appropriation for fiscal year 2023, $61,000 of the waste reduction, recycling, and litter control account—state appropriation, $231,000 of the water quality permit account—state appropriation, $31,000 of the hazardous waste assistance account—state appropriation, $31,000 of the oil spill prevention account—state appropriation, and $983,000 of the model toxics control operating account—state appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5141 (environmental justice task force recommendations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(28) $43,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5381 (fish passage project permits). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(29) $52,000 of the general fund—state appropriation for fiscal year 2022, $52,000 of the general fund—state appropriation for fiscal year 2023, $8,000 of the reclamation account—state appropriation, $8,000 of the flood control assistant account—state appropriation, $32,000 of the waste reduction, recycling, and litter control account—state appropriation, $4,000 of the worker and community right-to-know account—state appropriation, $120,000 of the water quality permit account—state appropriation, $10,000 of the underground storage tank account—state appropriation, $6,000 of the bio solids permit account—state appropriation, $18,000 of the hazardous waste assistance account—state appropriation, $52,000 of the radioactive mixed waste account—state appropriation, $10,000 of the air pollution control account—state appropriation, $20,000 of the oil spill prevention account—state appropriation, $12,000 of the air operating permit account—state appropriation, $514,000 of the model toxics control operating account—state appropriation, and $80,000 of the water pollution control revolving administration account—state appropriation are provided solely for the department to maintain and license the new eHub system. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(30) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to enter into a contract with a qualified third party to develop standards that provide a framework for assessing the quality of volume, validity, and durability of potential future carbon dioxide removal projects. The resulting product should be adequate to allow in-state entities to analyze proposed carbon removal project for conformity with state carbon reduction laws, rules, and goals. The selected vendor should build upon previously completed analyses by the state of Washington and the federal government.

(31) $40,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to:

(a) Develop recommendations and implement actions under existing authority to modify the process for the review of water banks to ensure that key information is made available to the public. The changes should consider requirements such as:

(i) A description of a proposed banking and operations plan, including the needs and customers the bank intends to serve, the geographic area to be served, the portfolio of available mitigating rights and their allowed uses, any anticipated change in use of available mitigating rights, any limitations the bank intends to impose in offering water rights for use, and anything else the department deems necessary to promote transparency and the public interest;

(ii) Reporting requirements that include any changes in the intended customers or needs being serviced by the bank, any change in the geographic area to be served, any anticipated change in the use of available mitigating rights, any change in limitation the banks intends to impose in offering water right for use, and any other change the department deems necessary to promote transparency and the public interest; and

(iii) Reporting requirements for publishing each change and providing notice to pertinent parties and soliciting public comment.

(b) The department must build off its work directed under chapter 357, Laws of 2020 to refine recommendations on improving the state's framework for water banking, water trust, and water right transfers. Recommendations should address issues of private investment in water banking and the merits of incentives and regulations pertaining to the out-of-basin transfer of water rights. In refining its recommendations, the department shall consult with tribes and consider input from stakeholders with expertise in water banking.

(c) By December 31, 2021, the department shall update the appropriate committees of the legislature on its progress on refining policy recommendations under this section, including any recommended statutory changes, and on the status of the pilot grant program established under subsection (32) of this section.

(d) By December 1, 2022, the department shall submit a report to the appropriate committees of the legislature on work conducted pursuant to this section and on the pilot grant program established under this section. The report should include but is not limited to a summary of water banking activity funded including success and challenges, a summary of outcomes of the pilot grant program, a summary of actions taken under current authority, and policy recommendations. The policy recommendations may also come in the form of agency request legislation.

(32) ((~~$4,500,000 of the general fund—state appropriation for fiscal year 2022 and $4,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to administer the pilot grant program for water banking strategies to meet water needs as described in this section. Within available appropriations, grants must be awarded to qualified applicants according to (c) of this subsection. Grant awards must be limited to not more than $2,000,000 per applicant.~~

~~(a) Grant awards may only be used for:~~

~~(i) Development of water banks in rural counties as defined in RCW 82.14.370(5) that have the headwaters of a major watershed within their borders and only for water banking strategies within the county of origin. A major watershed has the same meaning as shoreline of the state in RCW 90.58.030(2)(f)(v) (A) and (B);~~

~~(ii) Acquisition of water rights appropriate for use in a water bank including all costs necessary to evaluate the water right for eligibility for its intended use; and~~

~~(iii) Activities necessary to facilitate the creation of a water bank.~~

~~(b) For the purposes of a grant pursuant to this section, a water bank must meet water needs, which include but are not limited to agricultural use and instream flow for fish and wildlife. The water bank must preserve water rights for use in the county of origin and for permanent instream flows for fish and wildlife through the primary and secondary reaches of the water right.~~

~~(c) To be qualified for these funds, an applicant must also show:~~

~~(i) That the applicant has sufficient expertise and capacity to develop and maintain a water bank consistent with the purposes of this appropriation;~~

~~(ii) That the applicant has secured a valid interest to purchase a water right;~~

~~(iii) That the water rights appear to be adequate for the intended use;~~

~~(iv) That the applicant agrees to have one-third of any water right purchased with the funds appropriated under this section to have its purpose of use changed permanently to instream flow benefiting fish and wildlife; and~~

~~(v) That the applicant is a public entity or a participant in a public/private partnership with a public entity.~~

~~(33)~~)) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to:

(a) Establish and administer a pilot grant program for implementing water banking strategies to meet local water needs;

(b) Review water banking grant applications submitted under this section, including evaluation of water right suitability; and

(c) Develop and finalize water banking agreements, trust water right agreements, and other necessary legal instruments with entities selected to receive grants under this section.

((~~(34)~~)) (33) $30,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to designate a regional clean air agency to convene a stakeholder group to assess and develop recommendations for reducing and mitigating air quality impacts in the form of noxious odors resulting from asphalt plants in the Puget Sound region. The stakeholder group should include representatives from the asphalt industry, cities within a county in the region in which an asphalt plant is located, the Puget Sound clean air agency, local and state health departments, research institutions, and a community or environmental organization representative with expertise in air pollution, toxicology, or other relevant fields. The recommendations must address steps needed for asphalt production facilities to develop odor control plans and best management practices to reduce noxious odors that negatively impact neighboring residents, businesses and persons utilizing publicly owned recreational facilities. A report containing recommendations must be submitted to the appropriate committees of the legislature by December 1, 2021.

(34) $330,000 of the oil spill prevention account—state appropriation is provided solely for additional staff to develop and implement new area contingency plans related to spill response in Washington state.

(35) $1,642,000 of the model toxics control operating account—state appropriation and $115,000 of the underground storage tank account—state appropriation are provided solely for additional staff to meet environmental protection agency underground storage tank site inspection requirements and oversee the cleanup of known contaminated leaking underground storage tank sites in Washington.

(36) $1,800,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for implementation of the food waste reduction act of 2019, chapter 255 Laws of 2019, through a series of food waste reduction campaigns, in addition to continuing to invest in litter prevention campaigns to address the state's ongoing litter problem.

(37) $1,382,000 of the model toxics control operating account—state appropriation is provided solely to develop methods and analyze 6PPD compounds in water and sediment, establish baseline monitoring data, and fund projects to identify best management practices and treatment devices that remove 6PPD from stormwater.

(38) $1,322,000 of the model toxics control operating account—state appropriation is provided solely for the department to complete a full safer alternatives assessment of the 6PPD compounds used in tires. The assessment shall incorporate and evaluate toxicity data of alternatives on Coho and other species. Of the amounts provided in this subsection, $246,000 of the model toxics control operating account—state appropriation is provided to support materials science expertise and collection of industry data necessary to evaluate feasibility of alternatives. The department shall provide a completed assessment to the governor's office, office of financial management, and the appropriate committees of the legislature, and, if the department finds safer alternatives exist, include recommended regulatory, policy, or legislative actions to advance safer alternatives as well as needs for future appropriations.

(39) $4,000,000 of the model toxics control stormwater account—state appropriation is provided solely for grants to local stormwater municipalities for expanding capacity to address stormwater management needs and meeting new municipal stormwater permit requirements, including stormwater management action planning to ensure that capital stormwater retrofit projects and other local stormwater management actions are prioritized, planned, and scheduled for construction or implementation.

(40) $4,232,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants to federally recognized tribes for consultation on spending decisions from accounts created in the climate commitment act, chapter 316, Laws of 2021 (E2SSB 5126), as described in Engrossed Substitute House Bill No. 1753 (climate funding/tribes).

(41) $1,492,000 of the general fund—state appropriation for fiscal year 2023, $20,000 of the clean fuels program account—state appropriation, and $1,309,000 of the climate investment account—state appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5842 (climate change). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(42) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide grants to the city of Tumwater and a nonprofit organization to study the Deschutes river floodplain.

(43) $2,000,000 of the state drought preparedness account—state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5746 (drought preparedness). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(44) $32,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Substitute Senate Bill No. 5910 (hydrogen). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(45) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a hydrologic analysis of all the factors relating to the flow constriction of the outlet of Sprague lake into Cow creek to determine the best course of action to alleviate periodic property damage due to high water and flooding.

(46) $931,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5885 (marine shoreline habitat). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(47) $260,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5703 (cosmetic products/chemicals). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(48)(a) $150,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the department to conduct or contract for a study to:

(i) Assess the amount and types of consumer packaging and paper products sold or supplied into the state and the recycling rates achieved for these materials through existing recycling programs and activities in the state. Recycling rate estimates must account for and exclude contamination, and must be presented by material category, including, at minimum, for paper, plastic, aluminum, steel, and glass, as well as for beverage containers, and by other factors as appropriate; and

(ii) In accordance with the recommendations for managing plastic packaging waste submitted to the Washington state legislature in 2020, consider and make recommendations on legislative action to address the items included in the list of problematic and unnecessary materials identified for elimination by the United States plastic pact.

(b) The study must be submitted to the appropriate committees of the legislature by December 1, 2022.

(49) $40,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5818 (housing/SEPA & GMA). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(50) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct litter control on state highways.

(51) $146,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (transportation resources). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation ((~~$638,000~~))

$754,000

Pollution Liability Insurance Agency Underground

Storage Tank Revolving Account—State

Appropriation $957,000

Pollution Liability Insurance Program Trust Account—

State Appropriation ((~~$1,392,000~~))

$1,418,000

TOTAL APPROPRIATION ((~~$2,987,000~~))

$3,129,000

**Sec.**  2021 c 334 s 304 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$29,059,000~~))

$29,496,000

General Fund—State Appropriation (FY 2023) ((~~$29,036,000~~))

$37,150,000

General Fund—Federal Appropriation ((~~$7,058,000~~))

$7,158,000

Winter Recreation Program Account—State

Appropriation ((~~$3,303,000~~))

$4,907,000

Millersylvania Park Current Account—State

Appropriation $5,000

ORV and Nonhighway Vehicle Account—State

Appropriation ((~~$369,000~~))

$388,000

Snowmobile Account—State Appropriation ((~~$5,645,000~~))

$5,683,000

Aquatic Lands Enhancement Account—State

Appropriation $367,000

Parks Renewal and Stewardship Account—State

Appropriation ((~~$125,451,000~~))

$142,354,000

Parks Renewal and Stewardship Account—Private/Local

Appropriation $420,000

TOTAL APPROPRIATION ((~~$200,708,000~~))

$227,928,000

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

(1) $129,000 of the general fund—state appropriation for fiscal year 2022 and $129,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to pay assessments charged by local improvement districts.

(3) $406,000 of the general fund—state appropriation for fiscal year 2022, $322,000 of the general fund—state appropriation for fiscal year 2023, and $88,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects funded in the 2019-2021 fiscal biennium.

(4) ((~~$272,000~~)) $80,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$272,000~~)) $464,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for an update to the Seashore conservation area survey and plan.

(5) $130,000 of the general fund—state appropriation for fiscal year 2022 and $130,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to hire a diversity, equity, and inclusion coordinator to expand the diversity of the agency's workforce.

(6) $85,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the facilitation of a work group that includes representation from the state parks and recreation commission, the commission on African American affairs, and stakeholders with expertise of the black experience in outdoor recreation to identify barriers to inclusion and develop recommendations to increase participation of Black Washingtonians in the state parks system and other outdoor recreation spaces and public parks. The work group will be selected by the governor's office and will consist of at least twelve participants representing diverse geographic, socioeconomic, and experiential backgrounds. The parks commission will enter into an interagency agreement with the commission on African American affairs to procure a contractor to facilitate the work group and develop a report with recommendations. The amount provided in this subsection may also be used for a survey or focus group to assess the needs of Black Washingtonians related to state parks and outdoor recreation. The work group will submit a report to the governor's office and appropriate committees of the legislature no later than ((~~January~~)) April 1, 2022.

(7) $7,900,000 of the general fund—state appropriation for fiscal year 2022 and $7,900,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to increase customer service, conduct more custodial maintenance, expand interpretive services, accelerate work on preventative maintenance and improve the conditions of park facilities, and expand public safety.

(8) $90,000 of the general fund—state appropriation for fiscal year 2022 and $6,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5259 (law enforcement data). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(9) $76,000 of the general fund—state appropriation for fiscal year 2022 and $907,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to address needs identified in the "2017 vulnerability assessment" conducted by the climate impacts group and to install electric-vehicle charging stations for park-use vehicles.

(10) $114,000 of the general fund—state appropriation for fiscal year 2022 and $705,000 of the general fund—state appropriation for 2023 are provided solely for the commission to dedicate resources to government-to-government consultations with Indian tribes and implement executive order 21-02, archaeological and cultural resources.

(11) $5,500,000 of the parks renewal and stewardship account—state appropriation is provided solely for the commission to replace major equipment that has been used for over 15 years. The commission must prioritize selecting electric motors over gasoline engines when the option is available and the machinery is compatible for the intended task.

(12) $160,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission to engage with the emerging leaders program: expanding equity in the outdoors, a program that trains BIPOC individuals in leadership and professional natural resource-based jobs.

(13) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission to reduce the maintenance backlog on state-owned recreation lands and facilities.

**Sec.**  2021 c 334 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2022) ((~~$4,119,000~~))

$4,322,000

General Fund—State Appropriation (FY 2023) ((~~$3,655,000~~))

$55,945,000

General Fund—Federal Appropriation ((~~$3,716,000~~))

$4,335,000

General Fund—Private/Local Appropriation $24,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$320,000~~))

$385,000

Firearms Range Account—State Appropriation $37,000

Recreation Resources Account—State Appropriation ((~~$3,999,000~~))

$4,355,000

NOVA Program Account—State Appropriation ((~~$1,444,000~~))

$1,489,000

Youth Athletic Facility Nonappropriated Account—

State Appropriation $181,000

Salmon Recovery Account—State Appropriation $85,000,000

TOTAL APPROPRIATION ((~~$17,495,000~~))

$156,073,000

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

(1) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to pass through to the Spokane tribe of Indians for a pilot study of salmon migratory behavior and survival upstream of the Chief Joseph and Grand Coulee dams.

(2)(a) $375,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to conduct a comprehensive equity review of state grant programs administered by the office. The office may, in consultation with the interested parties identified in (d) of this subsection, contract with a consultant to assist with the community engagement and review necessary to complete this review process.

(b) The purposes of this comprehensive equity review are:

(i) To reduce barriers to historically underserved populations' participation in recreation and conservation office grant programs;

(ii) To redress inequities in existing recreation and conservation office policies and programs; and

(iii) To improve the equitable delivery of resources and benefits in these programs.

(c) In completing the comprehensive equity review required under this section, the office shall:

(i) Identify changes to policy and operational norms and practices in furtherance of the equity review purposes identified in (b) of this subsection;

(ii) Identify new investments and programs that prioritize populations and communities that have been historically underserved by conservation and recreation policies and programs; and

(iii) Include consideration of historic and systemic barriers that may arise due to any of the following factors: Race, ethnicity, religion, income, geography, disability, and educational attainment.

(d) The office must collaborate with: (i) The Washington state commission on African American affairs; (ii) the Washington state commission on Asian Pacific American affairs; (iii) the Washington state commission on Hispanic affairs; (iv) the governor's office of Indian affairs; (v) the governor's committee on disability issues and employment; (vi) the office of equity; (vii) the office of minority and women's business enterprises; (viii) the environmental justice council if established by passage of Engrossed Second Substitute Senate Bill No. 5141; and (ix) other interested parties as appropriate to develop and conduct a community engagement process to inform the review.

(e) The office must complete the comprehensive equity review under this section and submit a final report, containing all of the elements and considerations specified in this section, to the legislature by June 30, 2022.

(3) $76,000 of the general fund—state appropriation for fiscal year 2022 and $76,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1382 (salmon recovery projects). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(4) $200,000 of the general fund—federal appropriation, $12,000 of the general fund—private/local appropriation, and ((~~$112,000~~)) $116,000 of the aquatic lands enhancement account—state appropriation are provided solely for the implementation of Senate Bill No. 5063 (invasive species council expiration). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(6) ((~~$3,999,000~~)) $4,355,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(7) ((~~$1,444,000~~)) $1,489,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(8) $1,809,000 of the general fund—state appropriation for fiscal year 2022 and $1,809,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood Canal bridge.

(9) $140,000 of the general fund—state appropriation for fiscal year 2022 and $140,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the governor's salmon recovery office to coordinate ongoing recovery efforts of southern resident orcas and monitor progress toward implementation of recommendations from the governor's southern resident killer whale task force.

(10) $175,000 of the youth athletic facility nonappropriated account—state appropriation is provided solely for a task force to consider ways to improve equitable access to K-12 schools' fields and athletic facilities and local parks agency facilities with the goal of increasing physical activity for youth and families. The task force shall be created and managed by the recreation and conservation office. A portion of the funds must be used to inventory K-12 school fields and athletic facilities and park agency facilities, and for joint use agreements for these facilities. The task force participants must represent geographic diversity and must include representatives from the office of the superintendent of public instruction, the Washington association of school administrators, the association of Washington principals, and the Washington recreation and parks association; participants with a background in public health; and stakeholders who represent diverse communities and communities of color. The task force shall consider joint use agreements, partnerships, improved scheduling practices with local parks agencies including facility rental fees, and other strategies, and submit a report with best practices and policy recommendations to the recreation and conservation funding board. A final report from the board must be submitted to the governor's office and legislature no later than February 1, 2022.

(11) $209,000 of the general fund—state appropriation for fiscal year 2022 and $209,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to contract for implementation of the Nisqually watershed stewardship plan.

(12) $30,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the office to facilitate the transfer of management authority over the project known as the beach lake conservation area from the current owner to a tribal government or local public government entity. If the current owner does not accept the offer to transfer management authority, then the office must pursue all legal means to enforce the right of public access consistent with the deed restrictions as set forth in the contract PSAR #15-1045. The amount provided in this subsection is intended to secure daily public access, during daylight hours, with minimal closures to the beach lake conservation area.

(13) $345,000 of the general fund—state appropriation for fiscal year 2022 and $345,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the connections program to provide outdoor learning experiences and virtual learning support for vulnerable youth in the Blaine and Mount Baker school districts. Of the amounts provided in this subsection, $25,000 in each fiscal year is provided solely for an organization in Whatcom county that increases access to environmental education.

(14) $50,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources sub-cabinet on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2022.

(15) $50,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the governor's salmon recovery office to provide a grant to the Spokane Tribe of Indians for purposes of forming a Spokane river watershed lead entity pursuant to RCW 77.85.050(1) and developing a habitat restoration strategy to support reintroduction of salmon upstream of Chief Joseph and Grand Coulee dams.

(16) $100,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of general fund—state appropriation for fiscal year 2023 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season. Funds are to be made available to appropriate local government or federal government agencies, or appropriate nonprofit organizations.

(17) $1,667,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office to provide grants, proportionally to their current funding levels, to the lead entities across the state for their continued work in salmon recovery.

(18) $50,000,000 of the salmon recovery account—state appropriation is provided solely for the salmon recovery board to provide grants for projects valued at greater than $5,000,000 each that will benefit salmon recovery.

(19) $35,000,000 of the salmon recovery account—state appropriation is provided solely for the salmon recovery board to provide grants for watershed projects typically valued at less than $5,000,000 each that will benefit salmon recovery.

(20) $50,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office to provide a grant for the Duckabush estuary restoration project.

**Sec.**  2021 c 334 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2022) ((~~$2,686,000~~))

$2,732,000

General Fund—State Appropriation (FY 2023) ((~~$2,728,000~~))

$2,847,000

TOTAL APPROPRIATION ((~~$5,414,000~~))

$5,579,000

**Sec.**  2021 c 334 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$10,859,000~~))

$10,888,000

General Fund—State Appropriation (FY 2023) ((~~$10,797,000~~))

$20,922,000

General Fund—Federal Appropriation $2,482,000

General Fund—Private/Local Appropriation $100,000

Public Works Assistance Account—State Appropriation ((~~$8,450,000~~))

$8,467,000

Model Toxics Control Operating Account—State

Appropriation $1,110,000

Salmon Recovery Account—State Appropriation $15,000,000

TOTAL APPROPRIATION ((~~$33,798,000~~))

$58,969,000

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

(1) $2,000,000 of the general fund—state appropriation for fiscal year 2023 and $100,000 of the general fund—private/local appropriation ((~~is~~)) are provided solely for the sustainable farms and fields program created in RCW 89.08.615 to provide technical assistance, education, and outreach to promote carbon storage and reduce greenhouse gas emissions. Grant funds may be used to promote cover crops, cost-share opportunities such as purchases of equipment, seeds, soil amendments, and development of conservation plans that increase carbon storage and reduce greenhouse gas emissions.

(2) $1,500,000 of the general fund—state appropriation for fiscal year 2022 and $1,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for conservation district technical assistance, project cultural resources review, project engineering, agency administration, and cost-share grants to landowners for recovery from wildfire damage, including, but not limited to, rebuilding fences, seeding unstable slopes, controlling weeds, and planting shrubs and trees for wildlife habitat.

(3) $85,000 of the general fund—state appropriation for fiscal year 2022 and $40,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to:

(a) Enter into an agreement with the department of ecology for a water bank in Okanogan county, which must focus solely on retaining agricultural water rights for use by other agricultural producers in the watershed of origin; and

(b) Report to the appropriate committees of the legislature by December 31, 2022, on the effectiveness of the Okanogan water bank at retaining agricultural water rights, and the potential for developing additional water banks in Washington using this model.

(4) ((~~$8,450,000~~)) $8,467,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(5) $170,000 of the general fund—state appropriation for fiscal year 2022 and $170,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to continue to convene and facilitate a food policy forum.

(6) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the commission to share evenly with conservation districts to increase assistance to landowners to achieve environmental stewardship and agricultural sustainability.

(7) $23,000 of the general fund—state appropriation for fiscal year 2022 and $4,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5253 (pollinator health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(8) $1,300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission to develop a riparian plant propagation program of native trees and shrubs to implement riparian restoration projects. Plants will be made available for free or at a reduced cost to restoration projects.

(9) $2,700,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission to make available to local conservation districts for project engineering services to enable permit and design work for conservation projects.

(10) $4,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the commission as its cost share for federal conservation reserve enhancement program funding and other related work for riparian habitat conservation.

(11) $15,000,000 of the salmon recovery account—state appropriation is provided solely for the commission to provide grants for riparian restoration projects with landowners.

**Sec.**  2021 c 334 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2022) ((~~$89,387,000~~))

$99,218,000

General Fund—State Appropriation (FY 2023) ((~~$87,617,000~~))

$151,377,000

General Fund—Federal Appropriation ((~~$130,092,000~~))

$134,160,000

General Fund—Private/Local Appropriation ((~~$62,539,000~~))

$65,146,000

ORV and Nonhighway Vehicle Account—State

Appropriation ((~~$646,000~~))

$679,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$12,240,000~~))

$12,701,000

Recreational Fisheries Enhancement Account—State

Appropriation ((~~$3,300,000~~))

$3,367,000

Warm Water Game Fish Account—State Appropriation ((~~$2,779,000~~))

$3,487,000

Eastern Washington Pheasant Enhancement Account—

State Appropriation ((~~$675,000~~))

$865,000

Limited Fish and Wildlife Account—State

Appropriation ((~~$32,825,000~~))

$39,300,000

Special Wildlife Account—State Appropriation ((~~$2,891,000~~))

$2,912,000

Special Wildlife Account—Federal Appropriation ((~~$518,000~~))

$520,000

Special Wildlife Account—Private/Local Appropriation ((~~$3,634,000~~))

$3,692,000

Wildlife Rehabilitation Account—State Appropriation $661,000

Ballast Water and Biofouling Management Account—

State Appropriation $10,000

Regional Fisheries Enhancement Salmonid Recovery

Account—Federal Appropriation $5,001,000

Oil Spill Prevention Account—State Appropriation ((~~$1,163,000~~))

$1,222,000

Aquatic Invasive Species Management Account—State

Appropriation ((~~$1,037,000~~))

$9,605,000

Model Toxics Control Operating Account—State

Appropriation ((~~$2,969,000~~))

$2,979,000

Fish, Wildlife, and Conservation Account—State

Appropriation ((~~$75,023,000~~))

$73,591,000

Oyster Reserve Land Account—State Appropriation $524,000

TOTAL APPROPRIATION ((~~$515,531,000~~))

$611,017,000

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

(1) $45,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Engrossed Substitute House Bill No. 1054 (peace officer tactics, equip). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(2) $29,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1310 (uses of force by officers). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $534,000 of the general fund—state appropriation for fiscal year 2022 and $472,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1382 (salmon recovery projects). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(4) $1,777,000 of the general fund—state appropriation for fiscal year 2022 and $1,777,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including $200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: $150,000 for the Quinault Indian Nation, $199,000 for the Tulalip Tribes, $268,000 for the Quileute Tribe, $186,000 for the Puyallup Tribe, $122,000 for the Port Gamble S'Klallam Tribe, $25,000 for the Muckleshoot Indian Tribe, $207,000 for the Squaxin Island Tribe, $142,000 for the Skokomish Indian Tribe, and $278,000 for the Lummi Nation. It is the intent of the legislature to continue this funding in future biennia.

(5) $330,000 of the general fund—state appropriation for fiscal year 2022 and $330,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas. It is the intent of the legislature to continue this funding in future biennia.

(6) $175,000 of the general fund—state appropriation for fiscal year 2022 and $175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas. It is the intent of the legislature to continue this funding in future biennia.

(7) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the department for hatchery maintenance.

(8) ((~~$467,000~~)) $3,139,000 of the general fund—state appropriation for fiscal year 2022 and $467,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(9) $503,000 of the general fund—state appropriation for fiscal year 2022, $503,000 of the general fund—state appropriation for fiscal year 2023, and $440,000 of the general fund—federal appropriation are provided solely for county assessments.

(10) $400,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(11) $378,000 of the general fund—state appropriation for fiscal year 2022 and $378,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for operating budget impacts from capital budget projects funded in the 2019-2021 fiscal biennium.

(12) $477,000 of the general fund—state appropriation for fiscal year 2022 and $477,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department must provide focus on minimizing wolf-livestock issues in the Kettle range. The department is discouraged from the use of firearms from helicopters for removing wolves.

(13) $251,000 of the general fund—state appropriation for fiscal year 2022 and $251,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for suppression, eradication, and monitoring of northern pike in the Columbia river. The department must work with the Spokane Tribe of Indians, the Confederated Tribes of the Colville Reservation, and the Kalispel Tribe of Indians on identifying appropriate actions to reduce threats to anadromous salmon from invasive northern pike.

(14) $753,000 of the general fund—state appropriation for fiscal year 2022 and $753,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(15) $1,262,000 of the general fund—state appropriation for fiscal year 2022 and $1,262,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the costs for the department to maintain shellfish sanitation activities necessary to implement its memorandum of understanding with the department of health to ensure the state is compliant with its federal obligations under the model ordinance of the national shellfish sanitation program.

(16) $603,000 of the general fund—state appropriation for fiscal year 2022 and $603,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to create a statewide permittee assistance program as part of hydraulic project approvals, in which department staff collaborate with landowners during construction to help resolve risks of permit noncompliance.

(17) $470,000 of the general fund—state appropriation for fiscal year 2022 and $470,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in Puget Sound and identify nonlethal management actions to deter them from preying on salmon and steelhead.

((~~(19)~~)) (18) $518,000 of the general fund—state appropriation for fiscal year 2022 and $519,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

((~~(20)~~)) (19) $271,000 of the general fund—state appropriation for fiscal year 2022 and $271,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 291, Laws of 2019 (southern resident orca whales–protection from vessels), contracts with nonprofit organizations to monitor vessel traffic and educate boaters to be whale wise, and participation in other orca recovery efforts.

((~~(21)~~)) (20) Within amounts appropriated in this section, the department, in coordination with statewide law enforcement agencies, must provide a report to the legislature by January, 2022 on the number of cougars reported to the department as harvested by local government law enforcement agencies, training opportunities provided to local law enforcement agencies, and how cougar removals by local enforcement agencies impact the department's cougar management strategies.

((~~(22)~~)) (21) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement priority actions in the state pinto abalone recovery plan. Of the amounts provided, $85,000 each fiscal year must be used to locate, monitor, and safeguard wild populations of pinto abalone along the strait of Juan de Fuca, outer coast, and San Juan islands and the remaining amounts must be granted to the Puget Sound restoration fund to increase production, diversity, and resilience of out-planted abalone.

((~~(23)~~)) (22) $315,000 of the general fund—state appropriation for fiscal year 2022 and $315,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to research and monitor the impacts of polychlorinated biphenyls (PCB) on indicator species. The department must coordinate with the department of ecology on implementation of this subsection.

((~~(24)~~)) (23) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to conduct an evaluation of the forest practices adaptive management program. The evaluation will be carried out generally consistent with the proposal provided to the timber, fish, and wildlife (TFW) policy committee in January 2020 titled *Assessing Changes in Uncertainty During Adaptive Management: A Case Study of the Washington State Forest Practices Habitat Conservation Plan*. To the extent practicable, the evaluation shall satisfy the cooperative monitoring, evaluation, and research five-year peer review process as required in WAC 222-12-045(2)(f), and support other ongoing forest practices adaptive management program evaluation and improvement efforts. The department shall consult with TFW policy caucus participants during the evaluation and provide for public review and comment of the draft report. A progress report shall be delivered to TFW policy participants and appropriate committees of the legislature by December 31, 2022, and a final report by June 30, 2023.

((~~(25)~~)) (24) $1,175,000 of the general fund—state appropriation for fiscal year 2022 and $1,175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to restore shrubsteppe habitat and associated wildlife impacted by wildfires.

(a) This funding is intended for the restoration of habitat on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

(b) Restoration actions may include: (i) Increasing the availability of native plant materials; (ii) increasing the number of certified and trained personnel for implementation at scale; (iii) support for wildlife-friendly fencing replacement; (iv) support for private landowners/ranchers to defer wildland grazing and allow natural habitat regeneration; and (v) species-specific recovery actions.

(c) The department must submit a progress report to the appropriate committees of the legislature on the investments made under this subsection by December 1, 2022, with a final report submitted by September 1, 2023.

(d) Within the amounts provided in this subsection, $250,000 must be used by the department to form a collaborative group process representing diverse stakeholders and facilitated by a neutral third-party to develop a long-term strategy for shrubsteppe conservation and fire preparedness, response, and restoration to meet the needs of the state's shrubsteppe wildlife and human communities. The collaborative may serve as providing expertise and advice to the wildland fire advisory committee administered by the department of natural resources and build from the wildland fire 10-year strategic plan. Components to be addressed by the collaborative include the restoration actions described in (b) of this subsection and on spatial priorities for shrubsteppe conservation, filling gaps in fire coverage, management tools to reduce fire-prone conditions on public and private lands, and identifying and making recommendations on any other threats. Any reports and findings resulting from the collaborative may be included in the report specified in (c) of this subsection.

((~~(26)~~)) (25) $80,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to contract with the Washington state academy of sciences to provide policymakers with a report on current evidence on pinniped predation of salmon, with an emphasis on Washington's portion of the Salish sea and Washington's outer coast. The academy must provide an independent study that reviews the existing science regarding pinniped predation of salmonids, including what is known about pinniped predation of salmonids, and with what level of certainty; where the knowledge gaps are; where additional research is needed; how the science may inform decisionmakers; and assessment of the scientific and technical aspects of potential management actions. Early in this process, the academy must convene separate meetings with comanagers and scientists to share relevant research and data and provide context for the academy's work.

((~~(27)~~)) (26) $198,000 of the general fund—state appropriation for fiscal year 2022 and $70,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5253 (pollinator health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(28)~~)) (27) $21,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Substitute Senate Bill No. 5273 (shoreline armoring). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(29)~~)) (28) $44,000 of the general fund—state appropriation for fiscal year 2022 and $24,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Substitute Senate Bill No. 5381 (fish passage project permits). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~

~~(30)~~)) (29) $132,000 of the general fund—state appropriation for fiscal year 2022 and $48,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5452 (electric-assisted bicycles). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~

~~(31)~~)) (30) $600,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to conduct a pilot project to test New Zealand style elk fencing, similar to the style used by the United States Department of Agriculture at the Starkey Experimental Forest and Range, including materials and construction techniques, and determine the cost and effectiveness of the fence design in reducing damage to school property and agricultural lands within the range of the north Cascades elk herd. The department of fish and wildlife shall work with at least one agricultural property owner in Skagit county with property abutting state highway 20 and one school district located in Skagit county with enrollment of less than 650 students that volunteer to build and test the elk fence design and, in compliance with RCW 43.01.036, report back to the natural resources committees of the legislature by November 1, 2022, on the results of the pilot project.

((~~(32)~~)) (31) $155,000 of the general fund—state appropriation for fiscal year 2022 and $310,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement strategies to control against chronic wasting disease in native species of the state.

((~~(33) $1,682,000 of the fish, wildlife and conservation account—state appropriation is~~)) (32) $860,000 of the general fund—state appropriation for fiscal year 2022 and $822,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to work with stakeholders to improve steelhead spawning estimates for improved fishing regulations such that enhanced conservation and equitable fisheries are established.

((~~(34)~~)) (33) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to assist local jurisdictions in responding to cougar related public safety issues. The funding is available to a local jurisdiction if they have a signed agreement with the department that recognizes cougar management authority is vested in the department and provides criteria to determine if a cougar creates an actionable public safety risk eligible for financial assistance. For the purposes of this subsection, a cougar presence on private property alone does not create an actionable public safety risk.

((~~(35)~~)) (34) $90,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to complete the final phase of the Cowlitz river salmon and steelhead hook mortality study. No less than $60,000 of the amount provided in this subsection is provided for the original contractor of the study to complete their work. A final report shall be provided to the appropriate committees of the legislature by December 31, 2022.

((~~(36)~~)) (35) $130,000 of the general fund—state appropriation for fiscal year 2022 and $130,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

((~~(37)~~)) (36) $200,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to develop a plan to protect native and hatchery produced steelhead for each river system of Grays harbor, Willapa bay, and coastal Olympic peninsula. The plan must adequately protect those fisheries for healthy runs year-after-year as well as provide reasonable fishing opportunities. The plan must include active stakeholder input and include an outreach strategy sufficient to keep conservation and angler interests well informed of proposed changes in advance of annual fishing seasons. The plan must be reported to the appropriate committees of the legislature by December 1, 2022.

(37) $166,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to implement executive order 21-02, archaeological and cultural resources.

(38) $313,000 of the general fund—state appropriation for fiscal year 2022 and $408,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to perform forage fish spawning surveys in Puget Sound.

(39) $294,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to complete rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(40) $14,400,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to reduce the number of nontribal commercial gillnet fishing licenses on the Columbia river through a voluntary buy-back program.

(a) Until November 30, 2022, the department may pay up to $25,000 each for licenses that have been inactive since 2019 and up to $120,000 each for licenses that have been active since 2019. After November 30, 2022, the department may pay up to $20,000 each for licenses that have been inactive since 2019 and up to $96,000 each for licenses that have been active since 2019. It is the intent of the legislature that this will be the last appropriation made to buy back licenses for the Columbia river gillnet fishery.

(b) For all licenses purchased, the department shall calculate the reduced impacts to wild and endangered stocks based on the most recent five-year average of harvest and reserve those impacts for conservation through increased wild salmonid escapement or mark-selective fisheries capable of harvesting surplus hatchery-reared salmon where needed to meet federal genetic protection requirements for wild salmon populations in a manner consistent with state-tribal fishery management agreements.

(c) The department must make recommendations to the legislature for any necessary changes in statute, regulations, or program funding levels to transition lower Columbia river mainstem gillnet fisheries to alternative, selective fishing gears, including pound nets or other gears capable of benefitting wild salmon conservation through mark-selective harvest practices. The recommendation must be submitted to the appropriate committees of the legislature by December 1, 2022.

(41) $1,139,000 of the general fund—state appropriation for fiscal year 2023 and $33,000 of the limited fish and wildlife account—state appropriation are provided solely to increase the department's ability to manage impacts from increased public recreation on department-owned or managed lands and water access sites.

(42) $402,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide technical assistance and permitting guidance on solar facility proposals with the intent of limiting impacts to threatened and endangered species and critical and sensitive habitat areas, including shrubsteppe.

(43) $327,000 of the general fund—state appropriation for fiscal year 2022 and $515,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to improve salmon population data analysis, improve salmon abundance modeling, better manage salmon fisheries policy, and collaborate with tribal comanagers on fisheries allocations. The department must make all documents and notes that were part of the north of falcon process available for public review once the process is completed.

(44) $3,802,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to monitor recreational salmon and steelhead harvest in freshwater streams and rivers in Puget Sound and along the Washington coast.

(45) $158,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to monitor salmon harvest from the ocean.

(46) $1,958,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to monitor salmon harvest from Puget Sound.

(47) $994,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to monitor salmon harvest from commercial fisheries.

(48) $226,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a marine fisheries compliance liaison to collaborate with other law enforcement partners on commercial and recreational fisheries issues.

(49) $1,283,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance.

(50) $372,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to develop and implement a mobile-based electronic catch record card system for statewide marine and freshwater fisheries.

(51) $852,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide additional capacity to the attorney general's office to prosecute and enforce fish and wildlife infraction and crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(52) $4,283,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to develop a monitoring and evaluation program for salmon and steelhead hatcheries in western Washington with the goal to improve survival of hatchery fish to adult returns and adaptively manage hatchery programs to better achieve management goals, including rebuilding natural populations for conservation purposes and increasing fishing opportunities.

(53) $2,392,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to conduct fish in/fish out monitoring for the purposes of measuring freshwater systems salmon productivity for purposes of salmon recovery.

(54) $395,000 of the general fund—state appropriation for fiscal year 2023 and $295,000 of the limited fish and wildlife account are provided solely to monitor recreation shellfish harvest in Puget Sound.

(55) $710,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to monitor recreational Dungeness crab harvest along the Washington coast.

(56) $360,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to complete a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(57) $494,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to participate in hydropower licensing efforts for the purposes of mitigating impacts to salmon and other fish and wildlife species as a result of new or renewing federal and nonfederal hydropower facilities.

(58) $90,000 of the general fund—state appropriation for fiscal year 2022 and $166,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to complete the following activities:

(a) By December 1, 2022, and consistent with law, the department must submit a report to the legislature that assesses how to incorporate a net ecological gain standard into state land use, development, and environmental laws and rules to achieve a goal of better statewide performance on endangered species recovery and ecological health. The report must address each environmental, development, or land use law or rule where the existing standard is less protective of ecological integrity than the standard of net ecological gain, including the shoreline management act (chapter 90.58 RCW), the growth management act (chapter 36.70A RCW), construction projects in state waters (chapter 77.55 RCW), and the model toxics control act.

(b) In developing the report under this section, the department must consult with the appropriate local governments, state agencies, federally recognized Indian tribes, and stakeholders with subject matter expertise on environmental, land use, and development laws including but not limited to cities, counties, ports, the department of ecology, and the department of commerce.

(c) The report must include:

(i) Development of a definition, objectives, and goals for the standard of net ecological gain;

(ii) An assessment and comparison analysis of opportunities and challenges, including legal issues and costs on state and local governments to achievement of overall net ecological gain through both:

(A) Implementation of a standard of net ecological gain under different environmental, development, and land use laws; and

(B) An enhanced approach to implementing and monitoring no net loss in existing environmental, development, and land use laws;

(iii) Recommendations on funding, incentives, technical assistance, legal issues, monitoring, and use of scientific data, and other applicable considerations to the integration of needs to assess progress made toward achieving net ecological gain into each environmental, development, and land use law or rule; and

(iv) An assessment of how applying a standard of net ecological gain in the context of each environmental, land use, or development law is likely to achieve substantial additional environmental or social co-benefits.

(59) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department, in consultation with the department of ecology, the department of natural resources, the Colville confederated tribes, the Okanogan PUD, and other interested entities to analyze the steps required, including coordination and ownership, associated with the possible removal of Enloe dam and analyze options for sediment removal in order to restore the Similkameen river, minimize impacts downriver, and allow access to over 300 miles of habitat for federally-threatened steelhead and other native salmonids. Any contract required to fulfill this analysis is exempt from the competitive procurement requirements in chapter 39.26 RCW. A report of the department's findings, analysis, and recommendations for funding or further considerations for the Enloe dam removal must be made to the appropriate committees of the legislature by December 1, 2022.

(60) $70,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to engage with partner organizations in eradication and control measures on invasive bullfrogs.

(61) $8,568,000 of the aquatic invasive species management account—state appropriation is provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature by December 1, 2022.

(62) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to increase the support of regional fish enhancement groups.

(63) $370,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5885 (marine shoreline habitat). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(64) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to reduce the maintenance backlog on state-owned recreation lands and facilities.

(65) $70,000 of the general fund—state appropriation for fiscal year 2022 and $997,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to assess the status of current riparian ecosystems, beginning with areas where sufficient information exists to conduct the assessment. The assessment will include identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(66) $75,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to install elk fencing in the Skagit river valley to help mitigate crop damage.

(67) $3,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide grants and coordinate with the tribes of the upper Columbia river to reintroduce Chinook salmon.

(68) $95,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide grants for western pond turtle research and recovery.

(69) $164,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Substitute Senate Bill No. 5411 (northern spotted owl forests). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(70) The legislature intends to fund the monitoring items contained in subsections (44) through (47) and (52) through (55) of this section through fiscal year 2025. A brief status report of the data collected and findings from each monitoring item funded in this section is due to the appropriate committees of the legislature by December 1st of each fiscal year through 2025.

(71) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a survey and to estimate the number of juvenile and adult salmon that are taken on average each year due to bird predation on the Columbia river, between the confluence with the Snake river and the McNary dam. The estimate must indicate the number of fish taken by bird species. A report of the survey and estimate, including a description of techniques and projects in place to prevent such predation must be made to the appropriate committees of the legislature by June 30, 2023.

(72) $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to prepare a report on estimates of the annual fishery harvest impact for the years 2010 through 2020. The report must include an analysis of catch and incidental fishery-related mortalities for each wild Puget Sound chinook population or management unit aggregate for which co-management fishery conservation objectives have been defined. The report must also include estimates of the annual number of spawning adults, natural and hatchery, for the same period. Consistent with ensuring that tribal treaty obligations are being achieved, the report must also include annual estimates of the state-tribal allocation of Puget Sound chinook and coho salmon harvests, natural and hatchery, made for each allocation unit as required by the Puget Sound salmon management plan for the same period. The report shall be submitted to the appropriate committees of the legislature by December 15, 2022.

(73) $3,510,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants for the following activities:

(a) $900,000 for the Lummi Nation to make infrastructure updates at the Skookum hatchery;

(b) $250,000 for the Confederated Tribes of the Colville Reservation to upgrade heating, ventilation, and air conditioning systems at the Colville trout hatchery, and to acquire a hatchery fish transport truck with aquaculture adaptations;

(c) $230,000 for the Yakama Nation to incorporate rearing vessels at the Cle Elum facility and to build circular covers at the lower Yakima facility;

(d) $1,180,000 to the Puyallup Tribe to build an augmentation well at Voights creek hatchery, upgrade the water supply system and alarms at the Clarks creek hatchery, and convert rearing ponds into eight raceways at Diru creek chum hatchery;

(e) $600,000 to the Suquamish Tribe to install an abatement pond at Grovers creek hatchery and replace raceways at Gorst coho raceways; and

(f) $350,000 to the Jamestown S'Klallam Tribe to upgrade water supply systems at Point Whitney and expand shellfish seed production capacity at the shellfish hatchery in Kona.

**Sec.**  2021 c 334 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2022) ((~~$5,592,000~~))

$5,612,000

General Fund—State Appropriation (FY 2023) ((~~$5,464,000~~))

$8,226,000

General Fund—Federal Appropriation ((~~$12,701,000~~))

$22,249,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$1,437,000~~))

$1,448,000

Model Toxics Control Operating Account—State

Appropriation ((~~$1,295,000~~))

$1,304,000

TOTAL APPROPRIATION ((~~$26,489,000~~))

$38,839,000

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

(1) $209,000 of the general fund—state appropriation for fiscal year 2022 and $209,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1382 (salmon recovery projects). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(2) By October 15, 2022, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2023-2025 capital and operating budget requests related to Puget Sound recovery and restoration.

(3) $304,000 of the general fund—state appropriation for fiscal year 2022 and $272,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Puget Sound partnership to develop and implement an action plan that advances diversity, equity, and inclusion and environmental justice in Puget Sound recovery efforts.

(4) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Puget Sound partnership to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(5) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Puget Sound partnership to implement shipping noise-reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington Maritime Blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington Maritime Blue will support a quiet sound advisory committee that should include relevant federal and state agencies, ports, industry, research institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

(6) $393,000 of the general fund—state appropriation for fiscal year 2022 and $295,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5141 (environmental justice task force recommendations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(7) $2,576,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to update local watershed salmon recovery chapters to reflect best available science on a regular basis, support scientific investigations to advance salmon recovery, increase collaboration and address barriers to Puget Sound salmon recovery, integrate data on salmon recovery into the Puget Sound online reporting platform, and track progress across the region.

**Sec.**  2021 c 334 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2022) ((~~$134,520,000~~))

$228,617,000

General Fund—State Appropriation (FY 2023) ((~~$153,194,000~~))

$140,805,000

General Fund—Federal Appropriation ((~~$42,668,000~~))

$52,458,000

General Fund—Private/Local Appropriation ((~~$3,161,000~~))

$3,189,000

Forest Development Account—State Appropriation ((~~$53,180,000~~))

$55,317,000

ORV and Nonhighway Vehicle Account—State

Appropriation ((~~$7,063,000~~))

$7,376,000

Surveys and Maps Account—State Appropriation ((~~$2,131,000~~))

$2,236,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$8,641,000~~))

$9,130,000

Resource Management Cost Account—State Appropriation ((~~$108,931,000~~))

$113,723,000

Surface Mining Reclamation Account—State

Appropriation ((~~$4,141,000~~))

$4,290,000

Disaster Response Account—State Appropriation ((~~$23,110,000~~))

$23,550,000

((~~Contract Harvesting Revolving~~

~~Nonappropriated Account—State~~

~~Appropriation~~ ~~$186,000~~))

Forest and Fish Support Account—State Appropriation ((~~$11,182,000~~))

$11,496,000

Aquatic Land Dredged Material Disposal Site Account—

State Appropriation $404,000

Natural Resources Conservation Areas Stewardship

Account—State Appropriation ((~~$46,000~~))

$285,000

Forest Fire Protection Assessment Nonappropriated

Account—State Appropriation $191,000

State Forest Nursery Revolving Nonappropriated

Account—State Appropriation $75,000

Access Road Revolving Nonappropriated Account—State

Appropriation $233,000

Forest Practices Application Account—State

Appropriation ((~~$1,978,000~~))

$2,083,000

Air Pollution Control Account—State Appropriation ((~~$895,000~~))

$907,000

Forest Health Revolving Nonappropriated Account—

State Appropriation $240,000

Model Toxics Control Operating Account—State

Appropriation ((~~$21,407,000~~))

$14,492,000

Wildfire Response, Forest Restoration, and Community

Resilience Account—State Appropriation $87,107,000

NOVA Program Account—State Appropriation ((~~$779,000~~))

$807,000

Derelict Vessel Removal Account—State Appropriation ((~~$1,997,000~~))

$2,032,000

Community Forest Trust Account—State Appropriation $52,000

Agricultural College Trust Management Account—State

Appropriation ((~~$3,171,000~~))

$4,042,000

Natural Resources Federal Lands Revolving

Nonappropriated Account—State Appropriation $16,000

Contract Harvesting Revolving Nonappropriated

Account—State Appropriation $186,000

TOTAL APPROPRIATION ((~~$583,592,000~~))

$765,339,000

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

(1) $1,857,000 of the general fund—state appropriation for fiscal year 2022 and $1,857,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) ((~~$55,791,000~~)) $43,316,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$74,632,000~~)) $87,107,000 of the ((~~general fund—state appropriation for fiscal year 2023~~)) wildfire response, forest restoration, and community resilience account—state appropriation are provided solely for the implementation of Second Substitute House Bill No. 1168 (long-term forest health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(3) $873,000 of the general fund—state appropriation for fiscal year 2022 and $1,816,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1216 (urban and community forestry). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(4) $176,000 of the forest development account—state appropriation, $164,000 of the aquatic lands enhancement account—state appropriation, $377,000 of the resource management cost account—state appropriation, and $22,000 of the agricultural college trust management account—state appropriation are provided solely for the implementation of Substitute House Bill No. 1355 (noxious weeds). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(5) $12,000 of the aquatic lands enhancement account—state appropriation and $10,000 of the resource management cost account—state appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1382 (salmon recovery projects). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(6) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(7) $1,583,000 of the general fund—state appropriation for fiscal year 2022 and $1,515,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(8) ((~~$20,668,000~~)) $116,941,000 of the general fund—state appropriation for fiscal year 2022, $20,668,000 of the general fund—state appropriation for fiscal year 2023, and $16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed. ((~~The amounts provided in this subsection may not be used to fund the department's indirect and administrative expenses. The department's indirect and administrative costs shall be allocated among its remaining accounts and appropriations.~~))

(9) $5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, $500,000 is contingent upon receipts under RCW 82.04.261 exceeding eight million dollars per biennium. If receipts under RCW 82.04.261 are more than eight million dollars but less than eight million five hundred thousand dollars for the biennium, an amount equivalent to the difference between actual receipts and eight million five hundred thousand dollars shall lapse.

(10) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2021, and December 1, 2022, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(11) $4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(12) $448,000 of the general fund—state appropriation for fiscal year 2022 and $448,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, conduct field trials for long-term ecosystem productivity and T3 watershed experiments, and engage stakeholders through learning-based collaboration. The department may retain up to $30,000 in one fiscal year to conduct Swiss needlecast surveys.

(13) $185,000 of the general fund—state appropriation for fiscal year 2022 and $185,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to one hundred dollars per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(14) The appropriations in this section include sufficient funding for the department to review its burn permit fee schedule, and to develop options and recommendations on changes to the fee schedule to meet the requirement in RCW 70A.15.5020. The agency must report on options and recommendations to the office of financial management and the appropriate committees of the legislature by September 1, 2021.

(15) $569,000 of the model toxics control operating account—state appropriation is provided solely to implement recommendations in the aerial herbicides in forestlands report submitted to the legislature in December 2019 from the aerial herbicide application working group. Specific work will include researching alternatives to chemicals for control of unwanted competing vegetation, compliance monitoring of aerial herbicides application, and updating the pesticide board manual.

(16) $925,000 of the general fund—state appropriation for fiscal year 2022 and $779,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to undertake geologic research to understand the geology and hydrology of the Columbia basin with regard to geothermal and groundwater resources. Funding must also be used for outreach and education to industries and regional communities to increase awareness of underground resources, how to access and use them, and the regulatory processes for doing so.

(17) $77,000 of the general fund—state appropriation for fiscal year 2022, $90,000 of the general fund—state appropriation for fiscal year 2023, $82,000 of the forest development account—state appropriation, $10,000 of the ORV and nonhighway vehicle account—state appropriation, $19,000 of the aquatic lands enhancement account—state appropriation, $189,000 of the resource management cost account—state appropriation, $7,000 of the surface mining reclamation account—state appropriation, $9,000 of the forest and fish support account—state appropriation, $43,000 of the forest fire protection assessment nonappropriated account—state appropriation, $13,000 of the state forest nursery revolving nonappropriated account—state appropriation, $45,000 of the access road revolving nonappropriated account—state appropriation, $26,000 of the forest health revolving nonappropriated account—state appropriation, and $9,000 of the model toxics control operating account—state appropriation are provided solely for the department to move its data center currently located in the natural resources building to the state data center located in the Jefferson building as required by office of the chief information officer policy 184 and RCW 43.105.375. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(18) $466,000 of the general fund—state appropriation for fiscal year 2022, $125,000 of the general fund—state appropriation for fiscal year 2023, $364,000 of the forest development account—state appropriation, $254,000 of the aquatic lands enhancement account—state appropriation, $754,000 of the resource management cost account—state appropriation, $27,000 of the surface mining reclamation account—state appropriation, $186,000 of the contract harvesting revolving nonappropriated account—state appropriation, $148,000 of the forest fire protection assessment nonappropriated account—state appropriation, $62,000 of the state forest nursery revolving nonappropriated account—state appropriation, $188,000 of the access road revolving nonappropriated account—state appropriation, $214,000 of the forest health revolving nonappropriated account—state appropriation, and $16,000 of the natural resources federal lands revolving nonappropriated account—state appropriation are provided solely for the department to replace the NaturE revenue and leasing administration system and integrate with the new One Washington financial system. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(19)(a) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to maintain existing administrative facility infrastructure operated by the six regions of the department.

(b) The department's allocation of this appropriation and existing expenditure authority in certain other funds will be spread equitably across agency funds based on a model of positions by program or activity that utilize existing facility spaces within the agency's operating regions. The remaining costs at each site will remain the burden of existing management fund distribution. Department allocation of funds in this appropriation will be trackable by region and by project code.

(c) This appropriation is provided solely for the maintenance of existing administrative infrastructure, inclusive of ordinary maintenance, preventive maintenance, and maintenance services and inspections, minor repairs, system component replacement, and the delivery of utility and facility services.

(d) The department must provide a comparison of quarterly agency allotments and expenditures relating to this subsection, including a summary of the maintenance work for all regional facilities subject to this section to the office of financial management beginning in October 2021.

(20) $175,000 of the general fund—state appropriation for fiscal year 2022 and $175,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendation for any changes to statute by June 30, 2023.

(21) $112,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Senate Bill No. 5158 (utility wildland fire cmte.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(22) $407,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department to complete development of a programmatic safe harbor agreement, and the associated environmental analysis and draft enrollment language for inclusion in the forest practices rules. Within the amount provided in this subsection, the department must provide $182,000 to the department of fish and wildlife to assist in the development of the programmatic safe harbor agreement. The department must provide a report to the appropriate committees of the legislature by December 15, 2021, on the status of the rule making and the resources needed to implement the rule effective October 1, 2022.

(23) Within amounts appropriated in this section, the department on behalf of the forest practices board must provide an update to the natural resource policy committees of the legislature on the progress of its projects, including progress made to address recommendations from the 2021 state auditor's report on the adaptive management program, by December 1, 2021, and December 1, 2022.

(24) $100,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to grant to local law enforcement agencies to assist in enforcing vessel registration laws. Funding is also provided for a pilot recycling project with a nonprofit maritime education center that has the capacity to coordinate with a local port and local businesses that can accommodate vessel waste material.

(25) Within amounts appropriated in this section, the department, acting in its capacity as the agency responsible for implementing Washington state's section 10 permit under the endangered species act for aquatic species, and for ensuring maintenance of clean water act assurances granted by the department of ecology, must report to the legislature by no later than June 30, 2022, on the status of forest practices board activities related to: (a) Permanent water typing rulemaking and associated board manual development and (b) rulemaking and associated board manual development regarding the protection of type N streams.

(26) Within amounts appropriated in this section, the department, in collaboration with motorized and nonmotorized outdoor recreation stakeholders, must submit to the appropriate committees of the legislature recommendations for the use of NOVA account appropriations, by September 30, 2022.

(27) $2,336,000 of the general fund—state appropriation for fiscal year 2022 and $1,591,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5141 (environmental justice task force recommendations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(28) ((~~$180,000~~)) $34,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$4,000~~)) $8,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5253 (pollinator health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(29) ((~~$34,000~~)) $180,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$8,000~~)) $4,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5452 (electric-assisted bicycles). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(30) $1,765,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to:

(a) Replace the statewide forest practices permit database system. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act; and

(b) Provide a recommendation for ways that the forest products industry could help cover the cost of the new forest practice online system. The recommendation must include proposed changes to the fees that are paid for forest practice applications and notifications, as well as a description and table that illustrates the operating costs of the program and how those costs are covered by fund source including fee revenue. The recommendation must be reported to the fiscal committees of the legislature by December 1, 2021, and may be included as a decision package to the office of financial management for consideration in the governor's proposed 2022 supplemental operating budget.

(31) $225,000 of the general fund—state appropriation for fiscal year 2022 and $225,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of entering into such stewardship agreements with individual neighboring landowners who would take on the responsibility for protecting small segments of shared boundary with department managed lands. The pilot project must include identifying the legal limits and bounds of such stewardship agreements, identifying suitable areas, preparing and entering into shared stewardship agreements, and evaluating the costs and benefits of these agreements.

(a) The pilot project evaluation must include:

(i) A determination of an appropriate mechanism for the sale of valuable materials from state trust lands harvested under a stewardship agreement;

(ii) Identification of regulatory constraints, staffing levels necessary to administer a statewide program, and other limitations; and

(iii) Identification of legal risk and insurance and indemnification requirements that may be necessary on the part of private individuals entering into these agreements.

(b) The pilot project must include agreements on at least the Teanaway or Klickitat Community Forests and on state trust lands in the vicinity of the town of Darrington, Washington. The department of natural resources must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and any recommendations for changes and statewide implementation by July 1, 2023.

(32) $134,000 of the general fund—state appropriation for fiscal year 2022 and $134,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to grant non-tribal outcome-based performance participation grants for implementation of the forest practices adaptive management program. Of the amounts provided in this subsection, $54,000 per fiscal year is provided for grants to the Washington farm forestry association and $80,000 per fiscal year is provided for grants to the Washington state association of counties.

(33) $488,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(34) $3,481,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to collect and refresh statewide lidar data.

(35) Within amounts appropriated in this section, the department must improve performance of the forest practices adaptive management program by implementing recommendations made by the state auditor's office in its January 2021 performance audit of the program.

(36) $450,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a targeted analysis of the current and projected impact from drought and opportunities for drought resilience on department owned and managed uplands and agricultural lands.

(37) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to purchase easements under the forestry riparian easement program, pursuant to RCW 76.13.120.

(38) $1,149,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Second Substitute Senate Bill No. 5619 (kelp & eelgrass conservation). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(39) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the natural heritage program to reduce the backlog of heritage information that needs to be recorded and documented and any other measures needed to make the information accessible.

(40) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to reduce the maintenance backlog on state-owned recreation lands and facilities.

(41) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to continue convening the work group pertaining to making improvements to the trust land transfer program. Of the amount provided in this subsection, up to $75,000 may be used for completing a trust land transfer project in Jefferson county.

(42) $3,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to provide a grant to a nonprofit organization that will offer environmental education and career development skills training in nature for youth and young adults from south King county.

(43) $476,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to implement the provisions of Engrossed Second Substitute Senate Bill No. 5803 (wildfire/electric utilities). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(44) The appropriations in this section include sufficient funding for the department to implement the provisions of Substitute Senate Bill No. 5961 (biochar).

(45)(a) $20,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to purchase state forestland, as described in RCW 79.22.010, to begin a program to benefit counties who have lost revenue from existing state forestlands encumbered by wildlife species listed as endangered or threatened by the federal endangered species act. The department must transfer the appropriated amount into the natural resources real property replacement account in accordance with RCW 79.17.210 to purchase state forestlands.

(b) Of the amounts provided in this subsection:

(i) $10,000,000 must be used to purchase state forestland for the benefit of Clallam county and Jefferson county; and

(ii) $10,000,000 must be used to purchase state forestland for the benefit of Pacific county, Skamania county, and Wahkiakum county.

(c) The purchased forestlands shall be owned and managed by the department as state forest transfer lands and shall be placed in trust for the benefit of the counties. The purchase of these state forestlands is not limited to lands within the geographic bounds of the counties listed in this subsection.

(d) The purchase of state forestlands must be made in concurrence with the Washington state association of counties before a transaction is finalized.

(e) The department shall work with the Washington state association of counties to determine if any statutory changes are necessary to address issues regarding beneficiary revenue distribution or any other fiscal matters related to state forestlands. The department and the Washington state association of counties shall report to the legislature on any needed statutory changes by December 31, 2022.

(46) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for an increase in the Puget Sound corp program to employ work crews statewide to carry out aquatic recreation, natural areas, resource protection, and urban forestry projects.

(47) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature, by June 30, 2023, on how the funding was used, what kinds of research and cooperation were accomplished, and make recommendations for further opportunities for collaboration.

**Sec.**  2021 c 334 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2022) ((~~$21,046,000~~))

$59,691,000

General Fund—State Appropriation (FY 2023) ((~~$20,632,000~~))

$69,055,000

General Fund—Federal Appropriation ((~~$35,878,000~~))

$40,611,000

General Fund—Private/Local Appropriation $193,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$2,692,000~~))

$2,740,000

Water Quality Permit Account—State Appropriation $73,000

Model Toxics Control Operating Account—State

Appropriation ((~~$9,410,000~~))

$9,553,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) ((~~$621,000~~))

$628,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$627,000~~))

$635,000

Northeast Washington Wolf-Livestock Management

Nonappropriated Account—State Appropriation ((~~$952,000~~))

$1,042,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ((~~$90,000,000~~))

$90,009,000

TOTAL APPROPRIATION ((~~$182,124,000~~))

$274,230,000

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

(1) $45,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to develop a state alternative to the United States department of agriculture farmers to families food box program and provide resources for hunger relief organizations, including organizations that serve BIPOC and other socially disadvantaged communities.

(2) $5,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the farm-to-school program under RCW 15.64.060.

(3) $8,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, prioritized for women, minority, and small business owners.

(4) $9,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant program to improve food supply chain infrastructure and market access for farms, food processors, and food distributors.

(5)(a) $90,000 of the general fund—state appropriation for fiscal year 2022 and $90,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to coordinate with the office of equity, the conservation commission, underrepresented farmers and ranchers, organizations that represent historically underrepresented farmers and ranchers, farmworkers, and labor advocates to:

(i) Ensure inclusion of historically underrepresented farmers and ranchers in the agricultural industry;

(ii) Evaluate related boards, commissions, and advisory panels to ensure inclusion of historically underrepresented farmers and ranchers;

(iii) Include historically underrepresented farmers and ranchers in the development, implementation, and enforcement of food and agriculture laws, rules, regulations, policies, and programs; and

(iv) Consider ways to increase engagement in agricultural education and workforce development opportunities by communities who have been historically underrepresented in agriculture.

(b) The department must report to the governor and legislature, in accordance with RCW 43.01.036, by October 31, 2022, on its activities and efforts to include historically underrepresented farmers and ranchers. The report must describe the department's efforts to serve historically underrepresented farmers and ranchers, identify existing gaps and financial barriers to land ownership and obtaining equipment, and must include recommendations to improve outreach to and services for historically underrepresented farmers and ranchers.

(6) ((~~$203,000~~)) $4,936,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$203,000~~)) $938,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementing a Japanese beetle monitoring and eradication program in central Washington.

(7) $6,105,445 of the general fund—state appropriation for fiscal year 2022, $6,105,905 of the general fund—state appropriation for fiscal year 2023, and $23,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(8) $170,000 of the general fund—state appropriation for fiscal year 2022 and $170,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to continue a shellfish coordinator position. The shellfish coordinator assists the industry with complying with regulatory requirements and will work with regulatory agencies to identify ways to streamline and make more transparent the permit process for establishing and maintaining shellfish operations.

(9) $194,000 of the general fund—state appropriation for fiscal year 2022, $194,000 of the general fund—state appropriation for fiscal year 2023, and $1,134,000 of the general fund—federal appropriation are provided solely for implementing a Vespa mandarinia eradication program.

(10) ((~~$952,000~~)) $1,042,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Fund the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020, at $432,000 for fiscal year 2022 and fiscal year 2023. Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well-timed and placed preventative coverage on the landscape. The department retains the final decision-making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Contract with the northeast Washington wolf-cattle collaborative, a nonprofit organization, for $320,000 for fiscal year 2022 and fiscal year 2023 for range riders to conduct proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves. The contract must provide that the organization share all relevant information with the department of fish and wildlife in a timely manner to aid in wolf management decisions. Additionally, range riders must document their activities with geo-referenced photo points and provide written description of their efforts to the department of fish and wildlife by December 31, 2021, and December 31, 2022. Work is to be conducted solely on United States forest service grazing allotments and adjoining private lands in the Kettle mountains in Ferry county. This includes an area from the northern boundary of the Colville Confederated Tribes reservation, west of the Columbia river north to state route 20, and then west of United States route 395 to the Canadian border, and from the northern boundary of the Colville Confederated Tribes reservation east of state highway 21 to the Canadian border. Also included are federal grazing allotments and adjoining private lands in the Vulcan mountain area, an area which is north of the Kettle river where it enters the United States at Midway, British Columbia and leaves the United States near Danville, Washington.

(c) Within the amounts provided in this subsection, the department must provide $120,000 in fiscal year 2022 and $80,000 in fiscal year 2023 to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(11) $1,400,000 of the model toxics control operating account—state appropriation is provided solely for research grants to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays harbor and facilitate continued shellfish cultivation on tidelands. In selecting research grant recipients for this purpose, the department must incorporate the advice of the Willapa-Grays harbor working group formed from the settlement agreement with the department of ecology signed on October 15, 2019. Up to eight percent of the total amount provided may be used by the departments of agriculture, commerce, ecology, and natural resources to cover overhead expenses relating to their continued participation in the working group for the 2021-2023 fiscal biennium.

(12) ((~~$119,000~~)) $323,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$25,000~~)) $477,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5141 (environmental justice task force recommendations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(13) $78,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$24,000~~)) $276,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Second Substitute Senate Bill No. 5253 (pollinator health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) $2,000,000 of the general fund—federal appropriation, not to exceed the amount appropriated in section 11, chapter 3, Laws of 2021, that is unobligated at the end of fiscal year 2021, is provided solely to assist hunger relief organizations to achieve food security and is subject to the same terms and conditions as the appropriation in section 11, chapter 3, Laws of 2021.

(15) $168,000 of the general fund—state appropriation for fiscal year 2022 and $168,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department to assist small and midsize farms and small and midsize processors in exploring options to expand capacity for processing meat or meat and poultry for sale and direct marketing efforts. In carrying out this duty, the department must:

(a) Assist farms in complying with federal, state, and local rules and regulations as they apply to direct marketing of meat and poultry products;

(b) Assist in developing infrastructure including, but not limited to, custom meat facilities and slaughter facilities inspected by the United States department of agriculture as appropriate to increase direct marketing opportunities for farms;

(c) Assist processors in complying with federal, state, and local rules and regulations as they apply to processing meat and poultry and the marketing of meat and poultry;

(d) Assist in developing, in consultation with Washington State University extension, training opportunities or apprenticeship opportunities for slaughterers or inspectors;

(e) Provide information on direct marketing opportunities for farms;

(f) Identify and help reduce market barriers facing farms in direct marketing;

(g) Identify and help reduce barriers facing processors in operating slaughter facilities;

(h) Assist in developing and submitting proposals to grant programs to assist farm direct marketing efforts; and

(i) Perform other functions that will assist farms in directly marketing their meat and poultry products.

(16) $1,832,000 of the general fund—state appropriation for fiscal year 2022 and $1,832,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the department, in consultation with the state conservation commission, to develop a grant program to provide funding to conservation districts or other entities to provide access to meat and poultry processing and inspection. In addition to other funding needs to provide access to meat and poultry processing and inspection, grant funding may be used to establish a mobile slaughter unit or to provide needed infrastructure to provide for the retail sale of meat or poultry. The department must conduct outreach to gain input from other entities, such as conservation districts, Washington State University and the food policy forum in developing the grant program described in this subsection.

(17) ((~~$152,000~~)) $156,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $213,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute Senate Bill No. 5192 (electric vehicle equipment). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(18) $366,000 of the general fund—state appropriation for fiscal year 2022 and $366,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to support the department's emergency management planning responsibilities related to agricultural systems, radiological preparedness and response, foodborne outbreaks, food security, and other emergency management responsibilities.

(19) $9,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5544 (blockchain work group). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(20) $790,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the implementation of Substitute Senate Bill No. 5699 (cannabis analysis labs). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(21) $20,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to assist the hemp industry with analysis and support for creating a hemp commission proposal for the 2023 legislative session.

(22) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to convene a stakeholder task force to identify a pathway for hemp and hemp extracts to be added to food as an ingredient and to frame statutory proposals for consideration in the 2023 legislative session.

(23) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to support local and regional markets and for agricultural infrastructure development in southwest Washington.

(24) $9,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (transportation resources). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**PART IV**

**TRANSPORTATION**

**Sec.**  2021 c 334 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2022) ((~~$2,901,000~~))

$3,004,000

General Fund—State Appropriation (FY 2023) ((~~$2,585,000~~))

$2,846,000

Architects' License Account—State Appropriation ((~~$1,263,000~~))

$1,374,000

Real Estate Commission Account—State Appropriation ((~~$13,532,000~~))

$14,572,000

Uniform Commercial Code Account—State Appropriation ((~~$3,121,000~~))

$3,249,000

Real Estate Education Program Account—State

Appropriation $276,000

Real Estate Appraiser Commission Account—State

Appropriation ((~~$1,876,000~~))

$2,012,000

Business and Professions Account—State Appropriation ((~~$23,882,000~~))

$25,906,000

Real Estate Research Account—State Appropriation $415,000

Firearms Range Account—State Appropriation $74,000

Funeral and Cemetery Account—State Appropriation $25,000

Landscape Architects' License Account—State

Appropriation ((~~$80,000~~))

$87,000

Appraisal Management Company Account—State

Appropriation ((~~$256,000~~))

$264,000

Concealed Pistol License Renewal Notification

Account—State Appropriation $140,000

Geologists' Account—State Appropriation $149,000

Derelict Vessel Removal Account—State Appropriation $33,000

TOTAL APPROPRIATION ((~~$50,583,000~~))

$54,426,000

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

(1) $140,000 of the concealed pistol license renewal notification account—state appropriation and $74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) $16,000 of the general fund—state appropriation for fiscal year 2022, $9,000 of the general fund—state appropriation for fiscal year 2023, $13,000 of the architects' license account—state appropriation, $121,000 of the real estate commission account—state appropriation, $22,000 of the uniform commercial code account—state appropriation, $16,000 of the real estate appraiser commission account—state appropriation, and $227,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) The department shall inventory all business and professions fees and associated accounts including identification of all fees paid into each account, the amount and timing of the last fee increase, the estimated expenditures necessary to administer each fee based program, and the projected fee changes necessary to ensure positive account balances for each business and professions program account. The projection should include the period beginning with the 2021-2023 fiscal biennium through the 2025-2027 biennium. A report to the governor and legislature is due December 1, 2021.

(4) $157,000 of the uniform commercial code account—state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5355 (wage liens). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(5) $267,000 of the real estate commission account—state appropriation is provided solely to implement Substitute Senate Bill No. 5378 (real estate broker renewal). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(6) $808,000 of the general fund—state appropriation for fiscal year 2022 and $551,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the continued implementation of the legacy firearms system until the modernization project is completed.

(7) $28,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to implement Substitute House Bill No. 1107 (nonresident vessel permit provisions). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(8) $30,000 of the architects' license account—state appropriation, $297,000 of the real estate commission account—state appropriation, $50,000 of the real estate appraiser commission account—state appropriation, and $514,000 of the business and professions account—state appropriation are provided solely for implementation of House Bill No. 1399 (professional licensure/convictions). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

**Sec.**  2021 c 334 s 402 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

General Fund—State Appropriation (FY 2022) ((~~$59,974,000~~))

$66,660,000

General Fund—State Appropriation (FY 2023) ((~~$60,590,000~~))

$67,009,000

General Fund—Federal Appropriation ((~~$16,707,000~~))

$16,767,000

General Fund—Private/Local Appropriation $3,091,000

Death Investigations Account—State Appropriation ((~~$7,906,000~~))

$8,813,000

County Criminal Justice Assistance Account—State

Appropriation ((~~$4,533,000~~))

$4,626,000

Municipal Criminal Justice Assistance Account—State

Appropriation ((~~$1,637,000~~))

$1,682,000

Fire Service Trust Account—State Appropriation $131,000

Vehicle License Fraud Account—State Appropriation $119,000

Disaster Response Account—State Appropriation ((~~$8,500,000~~))

$12,500,000

Fire Service Training Account—State Appropriation ((~~$12,297,000~~))

$12,509,000

Model Toxics Control Operating Account—State

Appropriation ((~~$567,000~~))

$592,000

Fingerprint Identification Account—State

Appropriation ((~~$12,617,000~~))

$12,991,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) $2,423,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$2,423,000~~))

$2,793,000

Washington Internet Crimes Against Children Account—

State Appropriation $1,000,000

TOTAL APPROPRIATION ((~~$194,515,000~~))

$213,706,000

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

(1) ((~~$8,500,000~~)) $12,500,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) $2,423,000 of the dedicated marijuana account—state appropriation for fiscal year 2022 and $2,423,000 of the dedicated marijuana account—state appropriation for fiscal year 2023 are provided solely for the Washington state patrol to partner with multi-jurisdictional drug and gang task forces to detect, deter, and dismantle criminal organizations involved in criminal activity including diversion of marijuana from the legalized market and the illicit production and distribution of marijuana and marijuana-related products in Washington state.

(3) $643,000 of the general fund—state appropriation for fiscal year 2022 and $643,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for addressing a backlog of toxicology tests in the toxicology laboratory.

(4) $356,000 of the general fund—state appropriation for fiscal year 2022, $356,000 of the general fund—state appropriation for fiscal year 2023, and $298,000 of the death investigations account—state appropriations are provided solely for increased supply and maintenance costs for the crime laboratory division and toxicology laboratory division.

(5) $510,000 of the county criminal justice assistance account—state appropriation is provided solely for the Washington state patrol to support local police, sheriffs' departments, and multiagency task forces in the prosecution of criminals. However, the office of financial management must reduce the allotment of the amount provided in this subsection if allotment of the full appropriation will put the account into deficit.

(6)(a) $700,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(b) The joint apprenticeship training committee shall submit a report to the fiscal committees of the legislature by December 1, 2022, describing how the funding appropriated in this section was spent during the biennium. At a minimum, the report shall include information about the number of individuals that completed the training, the level of training or type of training being taught, the total cost of training everyone through completion, the percentage of passage rate for trainees, and the geographic location of the fire department sponsoring the trainee.

(7) $316,000 of the general fund—state appropriation for fiscal year 2023 and $1,000,000 of the Washington internet crimes against children account—state appropriation are provided solely for the missing and exploited children's task force within the patrol to help prevent possible abuse to children and other vulnerable citizens from sexual abuse.

(8) $1,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Substitute Senate Bill No. 5055 (law enforcement grievances), which changes methods for selecting an arbitrator for labor disputes involving law enforcement disciplinary matters. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(9) $213,000 of the general fund—state appropriation for fiscal year 2022 and $163,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Substitute House Bill No. 1223 (custodial interrogations). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(10) $1,000 of the general fund—state appropriation for fiscal year 2022 and $1,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of Engrossed Substitute House Bill No. 1054 (peace officer tactics and equipment). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(11) $2,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1310 (use of force). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(12) $1,334,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $2,373,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for facility and staff costs associated with construction of a second toxicology laboratory facility in Federal Way. The Washington state patrol must provide a report on the progress of the toxicology lab construction semiannually to the fiscal committees of the legislature with a final report due 90 days after completion of the project. The report must include, but is not limited to:

(a) A detailed list of expenditures so far;

(b) A detailed list of expenditure yet to be made before the completion of the project;

(c) An updated project timeline with expected end date; and

(d) Other project details that the Washington state patrol finds important to relay.

(13) $213,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the Washington state patrol to outsource death investigation cases to reduce the current backlog of cases awaiting toxicology testing.

(14) $1,320,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for an enhanced forensic capabilities pilot program that provides expedited DNA technology and forensic services to assist in the processing of crime scene evidence, expediting investigative leads, and reducing the backlog of other cases. ((~~Prior to the purchase of the DNA technology and forensic services for the pilot program, the Washington state patrol must submit a plan to the legislature no later than December 31, 2021, that addresses the following operational issues of the program:~~)) To ensure readiness to proceed with implementation, the Washington state patrol must identify needed resources, complete prehiring, and develop a competitive procurement process by July 1, 2022. The Washington state patrol must complete a preliminary report by December 2, 2022, describing major milestones and achievements of the program to date and submit a final report to the appropriate committees of the legislature by June 30, 2023. The preliminary report must include but is not limited to the following:

(a) Protocols on the operation and use of the program while maintaining civil liberties and protecting individual privacy;

(b) A description of how expedited DNA technology and forensic services will tie into the current operations of the state patrol's existing crime lab; and

(c) Details of how the Washington state patrol will protect individual privacy and civil liberties in relation to the program described in this subsection.

(15) $313,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for additional diversity, equity, and inclusion efforts, including contracting for external psychological examinations and additional contracted independent consultant work and oversight by the state office of equity. In coordination with the state office of equity, the Washington state patrol must annually update the diversity, equity, and inclusion strategic recruitment and retention plan to reflect activities completed, new strategies, and next steps.

(16) $642,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to process the backlog of court orders and dispositions. By June 30, 2023, the department must provide a report to the appropriate legislative committees that describes any continued staffing needs for this purpose.

(17) $370,000 of the dedicated marijuana account—state appropriation for fiscal year 2023 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**PART V**

**EDUCATION**

**Sec.**  2021 c 334 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2022) ((~~$31,237,000~~))

$31,948,000

General Fund—State Appropriation (FY 2023) ((~~$30,769,000~~))

$36,857,000

General Fund—Federal Appropriation ((~~$105,917,000~~))

$106,368,000

General Fund—Private/Local Appropriation ((~~$8,060,000~~))

$8,065,000

Washington Opportunity Pathways Account—State

Appropriation ((~~$265,000~~))

$268,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) $520,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$533,000~~))

$542,000

Performance Audits of Government Account—State

Appropriation $213,000

Workforce Education Investment Account—State

Appropriation ((~~$3,812,000~~))

$7,421,000

Elementary and Secondary School Emergency Relief III

Account—Federal Appropriation ((~~$4,631,000~~))

$7,116,000

TOTAL APPROPRIATION ((~~$185,957,000~~))

$199,318,000

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

(1) BASE OPERATIONS AND EXPENSES OF THE OFFICE

(a) ((~~$14,470,000~~)) $15,181,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$14,486,000~~)) $16,207,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(iii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iv) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(v) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(vi) The office of the superintendent of public instruction shall provide statewide oversight and coordination to the regional nursing corps program supported through the educational service districts.

(vii) Within the amounts provided in this subsection (1)(a), $318,000 of the general fund—state appropriation for fiscal year 2022 and $310,000 of the general fund—state appropriation for fiscal year 2023 are for 2.0 FTE to support multi-tiered systems of support (MTSS) data management and implementation activities.

(viii) Within the amounts provided in this subsection (1)(a), $79,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for a contract to assess the feasibility, specifications, and cost estimates for full development and implementation of a MTSS database.

(ix) Within the amounts provided in this subsection (1)(a), $53,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a contract with regional and/or national experts to train the MTSS staff and staff from the center on the improvement of student learning on MTSS implementation science and evidence-based practices as distinct but complementary to the Washington integrated student supports protocol.

(x) Within amounts provided in this subsection (1)(a), $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a climate science curriculum staff position within the office of the superintendent of public instruction and to integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(xi) By January 1, 2023, the office shall provide a report to the office of the governor and the appropriate committees of the legislature on transitional kindergarten programs. At a minimum, the report must contain the following data from each school district implementing a transitional kindergarten program:

(A) The early learning curriculum being used and what assessments, teacher credentials, and competencies are required;

(B) The selection criteria and/or prioritization used for enrollment;

(C) Methods used to cooperate and communicate with early learning providers located within the school district boundary;

(D) Ways in which the school district is using transitional kindergarten to improve inclusive services to children with disabilities; and

(E) The family supports, connections, and language supports provided to enrolled students.

(xii) Within the amounts provided in this subsection (1)(a), $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office to provide an annual report to the appropriate committees of the legislature and the office of the governor beginning January 1, 2023, and on January 1st of each year thereafter, on special education students receiving services outside of the state of Washington. At a minimum, the report must contain the following data:

(A) The number of Washington K-12 education students enrolled in special education services that have been moved to out-of-state facilities/schools to receive their Washington state funded education;

(B) The district that had previously served each student prior to relocation;

(C) The current location/facility where the student is now enrolled and receiving services; and

(D) The annual cost, and the per pupil cost of each student receiving services outside of the state.

(b) $1,217,000 of the general fund—state appropriation for fiscal year 2022 and $1,217,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for maintenance of the apportionment system, including technical staff and the data governance working group.

(c) $494,000 of the general fund—state appropriation for fiscal year 2022 and $494,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(d) $61,000 of the general fund—state appropriation for fiscal year 2022 and $61,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(e) $61,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$61,000~~)) $96,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(f) $265,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(g) Within amounts appropriated in this section, the office of the superintendent of public instruction and the state board of education shall adopt a rule that the minimum number of students to be used for public reporting and federal accountability purposes is ten.

(h) $123,000 of the general fund—state appropriation for fiscal year 2022 and $123,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(i) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(j) $14,000 of the general fund—state appropriation for fiscal year 2022 and $14,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(k) $131,000 of the general fund—state appropriation for fiscal year 2022, $131,000 of the general fund—state appropriation for fiscal year 2023, and $213,000 of the performance audits of government account—state appropriation are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(l) $117,000 of the general fund—state appropriation for fiscal year 2022 and $117,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 3, Laws of 2015 1st sp. sess. (computer science).

(m) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators).

(n) $385,000 of the general fund—state appropriation for fiscal year 2022 and $385,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. The tribal consultation training and schedule must be developed by January 1, 2022.

(o) $205,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$205,000~~)) $1,205,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership. The amounts provided in this subsection are sufficient for implementation of Second Substitute Senate Bill No. 5720 (student financial literacy). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(p) $75,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state.

(q) $481,000 of the general fund—state appropriation for fiscal year 2022 and $481,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(r) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(s) $4,631,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(t) $33,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Senate Bill No. 5202 (school depreciation subfunds). If this bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(u) $63,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5581 (pupil transp. allocations). If this bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(v) $2,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5764 (apprenticeships and higher ed). If this bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(2) DATA SYSTEMS

(a) $1,802,000 of the general fund—state appropriation for fiscal year 2022 and $1,802,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) $281,000 of the general fund—state appropriation for fiscal year 2022 and $281,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) $450,000 of the general fund—state appropriation for fiscal year 2022 and $450,000 of the general fund—state appropriation for fiscal year 2023 are provided for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(3) WORK GROUPS

(a) $335,000 of the general fund—state appropriation for fiscal year 2022 and $335,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 206, Laws of 2018 (career and college readiness).

(b) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) $118,000 of the general fund—state appropriation for fiscal year 2022 and $118,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) $130,000 of the general fund—state appropriation for fiscal year 2022 and $130,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to collaborate with the department of children, youth, and families to complete a report with options and recommendations for administrative efficiencies and long term strategies that align and integrate high-quality early learning programs administered by both agencies and consistent with implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). The report, due September 1, 2022, shall address capital needs, data collection and data sharing, licensing changes, quality standards, options for community-based and school-based settings with inclusive facilities and operations, fiscal modeling, and any statutory changes needed to achieve administrative efficiencies.

(f) $107,000 of the general fund—state appropriation for fiscal year 2022 and $107,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(g) $310,000 of the general fund—state appropriation for fiscal year 2022 and $249,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the development and implementation of a language access technical assistance program for school districts and to reconvene an expanded work group under section 2, chapter 256, Laws of 2019. The activities of and resources provided by the language access technical assistance program must align with the recommendations in the October 2020 report of the language access work group created by section 2, chapter 256, Laws of 2019 in order to improve awareness and fulfillment of language access rights for families in educational settings. The work group under this subsection shall, by December 1, 2021, report to the appropriate committees of the legislature recommendations for standards, training, testing, and credentialing for spoken and sign language interpreters for students' families and for collecting information related to language access services in schools and school districts. Within the amounts provided in this subsection, the office must provide a report to the appropriate committees of the legislature by December 1, 2021. The report shall include, at a minimum, information regarding the different languages in which students and students' families prefer to communicate by each school district.

(h)(i) $200,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the superintendent of public instruction to convene a work group to identify trauma informed strategies, approaches, and curricula for supporting students in distress and with challenging behaviors that prioritize relational safety. Stipends may be provided for work group members who are representing families and individuals as experts with lived experiences to compensate for time and travel to meetings. The work group at a minimum must include the following:

(A) One representative from the department of children, youth, and families with expertise on inclusion, equitable access, trauma informed practices, and relational safety in education settings;

(B) One representative from an organization representing youth with intellectual and developmental disabilities;

(C) Individuals representing youth with communication disorders, students or young adults who have lived experience with restraint and isolation, and students or adults who are survivors of the school-to-prison pipeline;

(D) One representative from an organization working to eliminate racial inequities in education;

(E) One representative from an organization working to eliminate disparities for families and students with a native language other than English;

(F) One representative from an organization working to improve inclusive practices in Washington that works with families and communities;

(G) One member of an organization representing youth in foster care;

(H) One member of an organization representing youth experiencing homelessness; and

(I) An administrator, teacher, and paraeducator professional with experience working in or around a self-contained behavior program.

(ii) The work group shall submit a report to the education committees of the legislature, the governor's office, and the education ombuds by December 1, 2022. The report must include a list of approved crisis response protocols and deescalation techniques for schools that are trauma informed and prioritize relational safety, recommended elements needed to improve access to mental health supports for all students, building-based strategies to enhance fidelity to multi-tiered systems of support and student behavior plans for students with challenging behaviors and strategies to track and reduce/eliminate restraint and isolation use, and best practices for implementation of identified strategies, with recommendations for district compliance and tracking mechanisms.

(4) STATEWIDE PROGRAMS

(a) $2,590,000 of the general fund—state appropriation for fiscal year 2022 and $2,590,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) $703,000 of the general fund—state appropriation for fiscal year 2022 and $703,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) $950,000 of the general fund—state appropriation for fiscal year 2022 and $950,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) $10,000 of the general fund—state appropriation for fiscal year 2022 and $10,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for chapter 102, Laws of 2014 (biliteracy seal).

(e)(i) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for school bullying and harassment prevention activities.

(ii) $15,000 of the general fund—state appropriation for fiscal year 2022 and $15,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) $570,000 of the general fund—state appropriation for fiscal year 2022 and $570,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being). Within the amounts provided in this subsection (4)(e)(iii), $200,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for grants to schools or school districts for planning and integrating tiered suicide prevention and behavioral health supports. Grants must be awarded first to districts demonstrating the greatest need and readiness. Grants may be used for intensive technical assistance and training, professional development, and evidence-based suicide prevention training.

(iv) $196,000 of the general fund—state appropriation for fiscal year 2022 and $196,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), $96,000 of the general fund—state appropriation for fiscal year 2022 and $96,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f)(i) $162,000 of the general fund—state appropriation for fiscal year 2022 and $162,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for youth suicide prevention activities.

(ii) $76,000 of the general fund—state appropriation for fiscal year 2022 and $76,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g)(i) $280,000 of the general fund—state appropriation for fiscal year 2022, $280,000 of the general fund—state appropriation for fiscal year 2023, and $1,053,000 of the dedicated marijuana account—state appropriation are provided solely for dropout prevention, intervention, and reengagement programs, including the jobs for America's graduates (JAG) program, dropout prevention programs that provide student mentoring, and the building bridges statewide program. Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, $520,000 of the dedicated marijuana account—state appropriation for fiscal year 2022, and ((~~$533,000~~)) $541,000 of the dedicated marijuana account—state appropriation for fiscal year 2023 are provided solely for the building bridges statewide program.

(ii) $293,000 of the general fund—state appropriation for fiscal year 2022 and $293,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) $178,000 of the general fund—state appropriation for fiscal year 2022 and $178,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) $358,000 of the general fund—state appropriation for fiscal year 2022 and $358,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) $196,000 of the general fund—state appropriation for fiscal year 2022 and $196,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) $60,000 of the general fund—state appropriation for fiscal year 2022, $60,000 of the general fund—state appropriation for fiscal year 2023, and $680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, $680,000 of the general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) $57,000 of the general fund—state appropriation for fiscal year 2022 and $57,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) $269,000 of the general fund—state appropriation for fiscal year 2022 and $142,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) $275,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to convene and provide staff support to the K-12 basic education compensation advisory committee established in section 951 of this act.

(q) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to develop resources, share best practices, and provide technical assistance for school districts to support implementation of comprehensive, culturally responsive, and high-quality civics education. Within amounts provided in this subsection, the office shall administer competitive grant awards of up to $1,500 per first class school district and $750 per second class school district to support in-service training and the development or adoption of curriculum and instructional materials. The office shall utilize a portion of this funding to assess the learning outcomes related to civic education curriculum and to support related assessments that gauge the degree to which high quality civic education is taking place in school districts throughout the state.

(r) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to provide technical assistance to school districts through the center for the improvement of student learning. The technical assistance must support the implementation of trauma-informed practices, policies, and procedures, including implementation of social emotional learning programs, multi-tiered systems of support, and other evidence-based programs that improve school climate and student emotional wellbeing.

(s) $49,000 of the general fund—state appropriation for fiscal year 2022 and $49,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1214 (K-12 safety & security serv.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(t) $35,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Substitute House Bill No. 1363 (secondary trauma/K-12). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(u) $140,000 of the general fund—state appropriation for fiscal year 2022 and $135,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute House Bill No. 1208 (learning assistance program). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(v) $505,000 of the general fund—state appropriation for fiscal year 2022 and $486,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1295 (institutional ed./release). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(w) $60,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the office of the superintendent of public instruction to evaluate and implement best practices and procedures for ensuring that student lunch periods include a seated lunch duration of at least 20 minutes. The office of the superintendent of public instruction shall, through an application-based process, select six public schools to serve as demonstration sites. Of the amounts provided in this subsection:

(i) $30,000 of the general fund—state appropriation is provided solely for annual grant awards of $5,000 each provided to the six school districts selected to serve as school demonstration sites;

(ii) $20,000 of the general fund—state appropriation is provided solely for the office to hire a consultant with expertise in nutrition programs to oversee the demonstration projects and provide technical support; and

(iii) $10,000 of the general fund—state appropriation is provided solely for the office to provide technical support to the demonstration sites and report its findings and recommendations to the education committees of the house of representatives and the senate by October 1, 2022.

(x) $27,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Substitute Senate Bill No. 5030 (school counseling programs). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(y) $16,000 of the general fund—state appropriation for fiscal year 2022 and $16,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5237 (child care & early dev. exp.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(z) $553,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(aa) $25,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office to create and distribute promotional and educational materials to school districts for Americans of Chinese descent history month.

(bb) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the superintendent to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(cc) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(dd) $294,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5252 (school consultation/tribes). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(ee) $101,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5762 (purple star award). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(5) CAREER CONNECTED LEARNING

(a) $852,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) $960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2021-2023 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) $500,000 of the workforce education investment account—state appropriation is provided solely for the Federal Way school district to establish pre-apprenticeship pathways and career connected learning programs in the skilled trades in Federal Way.

(d) $1,500,000 of the workforce education investment account—state is provided solely for Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

(e) $3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

**Sec.**  2021 c 334 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2022) $3,001,000

General Fund—State Appropriation (FY 2023) ((~~$5,003,000~~))

$5,404,000

Washington Opportunity Pathways Account—State

Appropriation ((~~$322,000~~))

$326,000

TOTAL APPROPRIATION ((~~$8,326,000~~))

$8,731,000

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

(1) $152,000 of the general fund—state appropriation for fiscal year 2022 and $138,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the state board of education for the following: Continuation of the mastery-based learning work group (chapter 252, Laws of 2019), expansion of ongoing pathways research, and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2022.

(2) $1,500,000 of the general fund—state appropriation for fiscal year 2022 and $3,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites for the purpose of addressing learning recovery and other educational issues related to COVID-19. The funds must be used for grants to school districts, professional development of school district staff, and implementation support provided by the state board of education. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) $263,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the state board of education for a community engagement coordinator position within the state board of education.

(4) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the state board of education to identify, develop, or purchase a school climate survey tool or other assessment options, and work with the office of the superintendent of public instruction and school districts to develop a statewide implementation plan, and report back on progress to the governor and education committees of the legislature by June 30, 2023.

**Sec.**  2021 c 334 s 503 (uncodified) is amended to read as follows:

**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2022) ((~~$16,868,000~~))

$12,817,000

General Fund—State Appropriation (FY 2023) ((~~$19,203,000~~))

$23,329,000

TOTAL APPROPRIATION ((~~$36,071,000~~))

$36,146,000

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

(1) $1,693,000 of the general fund—state appropriation for fiscal year 2022 and $1,725,000 of the general fund—state appropriation for fiscal year 2023 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2)(a) $600,000 of the general fund—state appropriation for fiscal year 2022 and $600,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to $500,000 of the general fund—state appropriation for fiscal year 2022 and up to $500,000 of the general fund—state appropriation for fiscal year 2023 are provided for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) $622,000 of the general fund—state appropriation for fiscal year 2022 and $622,000 of the general fund—state appropriation for fiscal year 2023 are provided for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ((~~$13,499,000~~)) $9,448,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$16,076,000~~)) $20,127,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection:

(a) $250,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to develop an online course to train educators on effective community, family, and student engagement.

(b) ((~~$12,587,000~~)) $8,536,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$15,414,000~~)) $19,465,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to districts to provide ((~~two~~)) up to four days of training ((~~per school year~~)) in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program ((~~in each of the 2020-21 and 2021-22 school years~~)) in the 2020-21 school year, and up to four days in the 2021-22 school year.

(6) $54,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Second Substitute House Bill No. 1028 (residency teacher cert.). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(7) $63,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to develop standards for two specialty endorsements in computer science, one in elementary computer science and one in secondary computer science. The professional educator standards board shall consult with the superintendent of public instruction to confirm that the specialty endorsements reflect the appropriate content necessary to teach computer science in the classroom, as defined by the office of the superintendent of public instruction with industry input. The computer science specialty endorsements must be available to all certificated teachers who hold a valid license and who demonstrate sufficient content knowledge in computer science.

(8) $187,000 of the general fund—state appropriation for fiscal year 2022 and $30,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5044 (schools/equity training). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

**Sec.**  2021 c 334 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2022) ((~~$9,852,652,000~~))

$9,698,930,000

General Fund—State Appropriation (FY 2023) ((~~$9,550,695,000~~))

$9,074,661,000

Education Legacy Trust Account—State Appropriation ((~~$1,398,115,000~~))

$1,598,115,000

Washington Opportunity Pathways Account—State

Appropriation $50,000,000

TOTAL APPROPRIATION ((~~$20,801,462,000~~))

$20,421,706,000

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

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

(b) For the 2021-22 and 2022-23 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2021, to August 31, 2021, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 503 and 504, chapter 357, Laws of 2020, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2021-22 and 2022-23 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2021-22 and 2022-23 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

|  |  |  |  |
| --- | --- | --- | --- |
| General education class size: |  |  |  |
| Grade | RCW 28A.150.260 | 2021-22  School Year | 2022-23  School Year |
| Grade K |  | 17.00 | 17.00 |
| Grade 1 |  | 17.00 | 17.00 |
| Grade 2 |  | 17.00 | 17.00 |
| Grade 3 |  | 17.00 | 17.00 |
| Grade 4 |  | 27.00 | 27.00 |
| Grades 5-6 |  | 27.00 | 27.00 |
| Grades 7-8 |  | 28.53 | 28.53 |
| Grades 9-12 |  | 28.74 | 28.74 |

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and Second Substitute Senate Bill No. 5595 (schools/support funding) and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii)(A) For the twenty schools with the lowest overall school score for all students in the 2018-19 school year, as determined by the Washington school improvement framework among elementary schools, middle schools, and other schools not serving students up to twelfth grade, having enrollments greater than one hundred fifty students, in addition to the allocation under (d)(i) of this subsection the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school in the 2021-22 school year as follows:

|  |  |  |
| --- | --- | --- |
|  | Elementary | Middle |
| Guidance counselors | 0.307 | 0.512 |

To receive additional allocations under this subsection (2)(d)(ii)(A), a school eligible to receive the allocation must have demonstrated actual staffing for guidance counselors for its prototypical school level that meets or exceeds the staffing for guidance counselors in (d)(i) of this subsection and this subsection (2)(d)(ii)(A) for its prototypical school level. School districts must distribute the additional guidance counselors allocation in this subsection to the schools that generate the allocation. The enhancement within this subsection is not part of the state's program of basic education.

(B) ((~~For qualifying high-poverty schools in the 2022-23 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:~~

|  |  |  |  |
| --- | --- | --- | --- |
|  | ~~Elementary~~ | ~~Middle~~ | ~~High~~ |
| ~~Guidance counselors~~ | ~~0.500~~ | ~~0.500~~ | ~~0.500~~ |

~~(C)~~)) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

|  |  |  |
| --- | --- | --- |
|  | 2021-22  School Year | 2022-23  School Year |
| Career and Technical Education | 3.07 | ((~~3.07~~)) 3.91 |
| Skill Center | 3.41 | ((~~3.41~~)) 4.25 |

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2021-22 and 2022-23 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

|  |  |  |
| --- | --- | --- |
| Prototypical School Building: |  |  |
| Elementary School |  | 1.253 |
| Middle School |  | 1.353 |
| High School |  | 1.880 |

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students 1.025

Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2021-22 and 2022-23 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2021-22 and 2022-23 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ((~~12.52~~)) 12.58 percent in the 2021-22 school year and ((~~11.96~~)) 12.52 percent in the 2022-23 school year for career and technical education students, and ((~~17.86~~)) 17.92 percent in the 2021-22 school year and ((~~17.26~~)) 17.86 percent in the 2022-23 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 22.71 percent in the 2021-22 school year and 22.71 percent in the 2022-23 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.75 percent in the 2021-22 school year and ((~~22.75~~)) 22.80 percent in the 2022-23 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in ((~~section 942 of this act~~)) section 930 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

|  |  |  |
| --- | --- | --- |
| MSOC RATES/STUDENT FTE | | |
|  | | |
| MSOC Component | 2021-22  School Year | 2022-23  School Year |
|  |  |  |
| Technology | $140.84 | ((~~$168.10~~)) $175.29 |
| Utilities and Insurance | $382.70 | ((~~$388.82~~)) $406.83 |
| Curriculum and Textbooks | $151.22 | ((~~$153.64~~)) $160.75 |
| Other Supplies | $299.50 | ((~~$303.29~~)) $297.26 |
| Library Materials | $21.54 | ((~~$21.89~~)) $21.97 |
| Instructional Professional Development for Certificated  and Classified Staff | $23.39 | ((~~$23.76~~)) $24.86 |
| Facilities Maintenance | $189.59 | ((~~$192.62~~)) $201.54 |
| Security and Central Office | $131.35 | ((~~$133.45~~)) $139.63 |
| TOTAL MSOC/STUDENT FTE | $1,340.13 | ((~~$1,386.57~~)) $1,428.12 |

(ii) For the 2021-22 school year and 2022-23 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8)(a)(ii) exceeds (B) of this subsection (8)(a)(ii), any proposed use of this difference and how this use will improve student achievement.

(iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of $1,585.55 for the 2021-22 school year and ((~~$1,610.92~~)) $1,629.95 for the 2022-23 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of $1,585.55 for the 2021-22 school year and ((~~$1,610.92~~)) $1,629.95 for the 2022-23 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

|  |  |  |
| --- | --- | --- |
| MSOC Component | 2021-22  School Year | 2022-23  School Year |
| Technology | $40.50 | ((~~$41.15~~)) $42.40 |
| Curriculum and Textbooks | $44.18 | ((~~$44.89~~)) $46.26 |
| Other Supplies | $86.06 | ((~~$87.43~~)) $90.10 |
| Library Materials | $5.99 | ((~~$6.09~~)) $6.27 |
| Instructional Professional Development for Certified  and Classified Staff | $7.36 | ((~~$7.48~~)) $7.71 |
| TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE | $184.09 | ((~~$187.04~~)) $192.74 |

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2021-22 and 2022-23 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of $151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2021, to August 31, 2021, are adjusted to reflect provisions of chapter 357, Laws of 2020, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund all day kindergarten programs in all schools in the 2021-22 school year and 2022-23 school year, pursuant to RCW 28A.150.220 and 28A.150.315.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

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

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

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

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

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

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

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

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

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

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

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

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

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

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

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2022 and 2023 as follows:

(a) $650,000 of the general fund—state appropriation for fiscal year 2022 and $650,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) $436,000 of the general fund—state appropriation for fiscal year 2022 and $436,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed $500 per full-time equivalent student enrolled in those programs.

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

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2022. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

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

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2021-2023 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) $16,211,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to ensure that school districts receive at least $500 per pupil for COVID-19 relief funding when combined with federal relief dollars. These funds are one-time allocations to school districts and may be used according to the allowable uses defined in section 2001(2)(e) of the American rescue plan act of 2021, P.L. 117-2. Prior to receiving funds, a school district must submit an academic and student well-being recovery plan to the office of the superintendent of public instruction as required in section 12(3), chapter 3, Laws of 2021, and must also report progress on implementing the plan in a manner identified by the superintendent.

(a) The office of the superintendent of public instruction must calculate a relief per pupil amount for each district defined as: The quotient from dividing the total funding allocated to each district from the federal relief funds, as defined in (b) of this subsection, by a school district's total enrollment as defined in (c) of this subsection. A school district with a relief per pupil amount less than $500 shall receive the difference between $500 and the relief per pupil amount, multiplied by the school district's total enrollment.

(b) For the purposes of this subsection, federal relief funds allocated to school districts include:

(i) Subgrants authorized under section 18003, the coronavirus aid, relief, and economic security act, P.L. 116-136;

(ii) Subgrants authorized under section 313, the coronavirus response and relief supplemental appropriations act, P.L. 116-260; and

(iii) Subgrants authorized under section 2001, the American rescue plan act of 2021, P.L. 117-2.

(c) For the purposes of this subsection, a school district's total enrollment means the district's 2019-20 school year annual average full-time equivalent student enrollment, excluding full-time equivalent student enrollments for which funds are separately calculated and allocated under RCW 28A.232.020, 28A.600.310(4), 28A.245.020, and 28A.175.110.

(d) For the purposes of this subsection, this subsection applies to state-tribal compact schools established under chapter 28A.715 RCW.

(23) ((~~$27,806,000~~)) $14,859,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for enrollment stabilization allocations required in section 1519 of this act.

(24) $217,678,000 of the general fund—state appropriation for fiscal year 2022 and $63,197,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for enrollment stabilization allocations pursuant to Substitute Senate Bill No. 5563 (enrollment stabilization). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(25) $566,000 of the general fund—state appropriation for fiscal year 2022, $250,000 of the general fund—state appropriation for fiscal year 2023, and $204,000 of the general fund—federal appropriation (CRRSA/ESSER) are provided solely for an enrollment stabilization allocation for the Washington youth academy national guard youth challenge program. Federal funding is provided in response to the COVID-19 pandemic as authorized in subsection 313(e), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

**Sec.**  2021 c 334 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2021-22 school year and the 2022-23 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

|  |  |  |
| --- | --- | --- |
| Statewide Minimum Salary Allocation | | |
|  | | |
| Staff Type | 2021-22  School Year | 2022-23  School Year |
|  |  |  |
| Certificated Instructional | $68,937 | ((~~$70,040~~))  $72,177 |
| Certificated Administrative | $102,327 | ((~~$103,964~~))  $107,137 |
| Classified | $49,453 | ((~~$50,244~~))  $51,777 |

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on ((~~February 1, 2021, at 5:17 hours~~)) February 18, 2022, at 06:09 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 22.07 percent for school year 2021-22 and 22.07 percent for school year 2022-23 for certificated instructional and certificated administrative staff and 19.25 percent for school year 2021-22 and ((~~19.25~~)) 19.30 percent for the 2022-23 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec.**  2021 c 334 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2022) ((~~$102,094,000~~))

$97,080,000

General Fund—State Appropriation (FY 2023) ((~~$310,929,000~~))

$527,125,000

TOTAL APPROPRIATION ((~~$413,023,000~~))

$624,205,000

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

(1) The salary increases provided in this section are 2.0 percent for the 2021-22 school year, and ((~~1.6~~)) 4.7 percent for the 2022-23 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2021-22 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in ((~~Engrossed Substitute Senate Bill No. 5044~~)) chapter 197, Laws of 2021 (schools/equity training).

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 22.07 percent for the 2021-22 school year and 22.07 percent for the 2022-23 school year for certificated instructional and certificated administrative staff and 19.25 percent for the 2021-22 school year and ((~~19.25~~)) 19.30 percent for the 2022-23 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in ((~~section 942 of this act~~)) section 930 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2021-22 school year, $968 per month and for the 2022-23 school year, ((~~$1,032~~)) $1,023 per month.

(5) When bargaining for funding for school employees health benefits for the 2021-2023 fiscal biennium, any proposal agreed upon must assume the imposition of a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

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

**Sec.**  2021 c 334 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2022) ((~~$615,759,000~~))

$605,160,000

General Fund—State Appropriation (FY 2023) ((~~$649,872,000~~))

$659,475,000

TOTAL APPROPRIATION ((~~$1,265,631,000~~))

$1,264,635,000

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

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

(2)(a) For the 2021-22 and 2022-23 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2021, to August 31, 2021, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 506, chapter 357, Laws of 2020, as amended.

(3) Within amounts appropriated in this section, up to $10,000,000 of the general fund—state appropriation for fiscal year 2022 and up to $10,000,000 of the general fund—state appropriation for fiscal year 2023 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of $939,000 of the general fund—state appropriation for fiscal year 2022 and a maximum of $939,000 of the general fund—state appropriation for fiscal year 2023 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(9) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(10) The superintendent must provide student transportation allocations for the 2021-22 school year equal to the greater of allocations provided in the 2019-20 school year or the student transportation allocations calculated under RCW 28A.160.192. These allocations satisfy the formula requirements for transportation allocations under RCW 28A.160.192.

(11) ((~~$33,858,000~~)) $29,745,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for transportation emergency allocations required in section 1504(12) of this act.

**Sec.**  2021 c 334 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2022) $11,667,000

General Fund—State Appropriation (FY 2023) $11,667,000

General Fund—Federal Appropriation ((~~$551,378,000~~))

$573,246,000

TOTAL APPROPRIATION ((~~$574,712,000~~))

$596,580,000

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

(1) $11,548,000 of the general fund—state appropriation for fiscal year 2022 and $11,548,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in Engrossed House Bill No. 1342 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2022, and February 1, 2023. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(4) $119,000 of the general fund—state appropriation for fiscal year 2022 and $119,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision.

(5) $14,200,000 of the general fund—federal appropriation (CRRSA) is provided solely for emergency costs for child nutrition programs provided under section 722 of P.L. 116-260, the consolidated appropriations act, 2021, title VII, chapter 3 to school food programs.

(6) $18,223,000 of the general fund—federal appropriation is provided solely for reimbursement of local education agency expenditures for the acquisition of unprocessed or minimally processed domestic food products.

(7) $3,645,000 of the general fund—federal appropriation is provided solely for food assistance purchases of domestic local foods for distribution to schools through the United States department of agriculture's local food for schools program.

**Sec.**  2021 c 334 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2022) ((~~$1,455,154,000~~))

$1,464,854,000

General Fund—State Appropriation (FY 2023) ((~~$1,537,068,000~~))

$1,468,277,000

General Fund—Federal Appropriation $571,229,000

Education Legacy Trust Account—State Appropriation $54,694,000

Elementary and Secondary School Emergency Relief III

Account—Federal Appropriation $7,000,000

TOTAL APPROPRIATION ((~~$3,625,145,000~~))

$3,566,054,000

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

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

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

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

(4)(a) For the 2021-22 and 2022-23 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2021, to August 31, 2021, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 357, Laws of 2020, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 13.5 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) ((~~$63,338,000~~)) $76,334,000 of the general fund—state appropriation for fiscal year 2022, ((~~$82,671,000~~)) $91,192,000 of the general fund—state appropriation for fiscal year 2023, and $29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2021-22 and 2022-23 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of $931,000 may be expended from the general fund—state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

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

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

(11) $88,000 of the general fund—state appropriation for fiscal year 2022, $87,000 of the general fund—state appropriation for fiscal year 2023, and $214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12) $5,000,000 of the general fund—state appropriation for fiscal year 2022, $12,000,000 of the general fund—state appropriation for fiscal year 2023, and $7,000,000 of the elementary and secondary school emergency relief III account—federal appropriation are provided solely for the office of the superintendent of public instruction to provide an allocation to school districts for extension of transition services for students with disabilities who turned age 21 during the 2019-20 or 2020-21 school years, did not graduate with a regular diploma, and require recovery services on or after July 1, 2021, as determined by the student's individualized education plan team. The extension of these services does not reduce or supplant any other services for which the individual would be eligible. Allocations for this purpose may not exceed the amounts provided in this subsection. The office of the superintendent of public instruction may adopt formulas and procedures to define a per-student amount to be provided to students that meet the criteria, so that allocations do not exceed amounts provided in this subsection. Amounts provided in this subsection are outside the state's program of basic education.

(13)(a) $52,704,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) $4,411,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(14) $7,000,000 of the general fund—state appropriation for fiscal year 2022 and $5,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to support professional development in inclusionary practices for classroom teachers. The primary form of support to public school classroom teachers must be for mentors who are experts in best practices for inclusive education, differentiated instruction, and individualized instruction. Funding for mentors must be prioritized to the public schools with the highest percentage of students with individualized education programs aged three through 21 who spend the least amount of time in general education classrooms.

**Sec.**  2021 c 334 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2022) $28,636,000

General Fund—State Appropriation (FY 2023) ((~~$28,636,000~~))

$30,891,000

TOTAL APPROPRIATION ((~~$57,272,000~~))

$59,527,000

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

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. Beginning in fiscal year 2022, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. Beginning in fiscal year 2022, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) $2,150,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$2,150,000~~)) $2,169,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for each educational service district to provide technology consultation, procurement, and training required under Engrossed Second Substitute House Bill No. 1365 (schools/computers & devices). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(11) $1,009,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5539 (ed. service district funding). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE**

General Fund—State Appropriation (FY 2022) ((~~$271,870,000~~))

$297,283,000

General Fund—State Appropriation (FY 2023) ((~~$247,305,000~~))

$290,154,000

Washington Opportunity Pathways Account—State

Appropriation $6,549,000

TOTAL APPROPRIATION ((~~$519,175,000~~))

$593,986,000

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

(1) $25,413,000 of the general fund—state appropriation for fiscal year 2022 and $42,849,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5563 (enrollment stabilization). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(2) $6,549,000 of the opportunity pathways account—state appropriation is provided solely for grants during the 2022-23 school year for enrichment activities permitted by RCW 28A.150.276(2). The superintendent of public instruction must distribute to each public school receiving allocations under chapter 28A.710 RCW a per pupil enrichment grant of $1,550 per student as increased for inflation from the 2019 calendar year multiplied by the student enrollment of the public school receiving allocations under chapter 28A.710 RCW in the prior school year.

**Sec.**  2021 c 334 s 512 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2022) ((~~$17,779,000~~))

$13,974,000

General Fund—State Appropriation (FY 2023) ((~~$19,481,000~~))

$13,498,000

TOTAL APPROPRIATION ((~~$37,260,000~~))

$27,472,000

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

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

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

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

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

(5) $701,000 of the general fund—state appropriation for fiscal year 2022 and $701,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) $3,157,000 of the general fund—state appropriation for fiscal year 2022 and $3,613,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) $300,000 of the general fund—state appropriation in fiscal year 2022 and $300,000 of the general fund—state appropriation in fiscal year 2023 are provided solely to support three student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center, the Chehalis school district for Green Hill academic school, and the Naselle-Grays River Valley school district for Naselle youth camp school.

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

(9) $588,000 of the general fund—state appropriation for fiscal year 2022 and $897,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students beginning in the 2021-22 school year in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

(a) Advocacy for institutional education students to eliminate barriers to educational access and success;

(b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;

(c) Monitoring educational progress of participating students;

(d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and

(e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) $49,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to increase materials, supplies, and operating costs by $85 per pupil beginning in the 2021-22 school year for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

**Sec.**  2021 c 334 s 513 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

General Fund—State Appropriation (FY 2022) ((~~$33,262,000~~))

$31,926,000

General Fund—State Appropriation (FY 2023) ((~~$33,711,000~~))

$32,210,000

TOTAL APPROPRIATION ((~~$66,973,000~~))

$64,136,000

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

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

(2)(a) For the 2021-22 and 2022-23 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.

(b) From July 1, 2021, to August 31, 2021, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 357, Laws of 2020, as amended.

**Sec.**  2021 c 334 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation ((~~$6,802,000~~))

$9,802,000

TOTAL APPROPRIATION ((~~$6,802,000~~))

$9,802,000

**Sec.**  2021 c 334 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2022) ((~~$137,813,000~~))

$134,083,000

General Fund—State Appropriation (FY 2023) ((~~$141,081,000~~))

$138,555,000

General Fund—Federal Appropriation ((~~$96,598,000~~))

$96,701,000

General Fund—Private/Local Appropriation $1,450,000

Education Legacy Trust Account—State Appropriation ((~~$1,638,000~~))

$1,642,000

TOTAL APPROPRIATION ((~~$378,580,000~~))

$372,431,000

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

(1) ACCOUNTABILITY

(a) $26,975,000 of the general fund—state appropriation for fiscal year 2022, $26,975,000 of the general fund—state appropriation for fiscal year 2023, $1,350,000 of the education legacy trust account—state appropriation, and $15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) $14,352,000 of the general fund—state appropriation for fiscal year 2022 and $14,352,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((~~$75,374,000~~)) $71,644,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$78,547,000~~)) $75,638,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of $5,705 per teacher in the 2021-22 school year and a bonus of ((~~$5,796~~)) $5,865 per teacher in the 2022-23 school year;

(ii) An additional $5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2021-22 and 2022-23 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) $3,418,000 of the general fund—state appropriation for fiscal year 2022 and $3,418,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) $477,000 of the general fund—state appropriation for fiscal year 2022 and $477,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) $810,000 of the general fund—state appropriation for fiscal year 2022 and $810,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) $10,500,000 of the general fund—state appropriation for fiscal year 2022 and $10,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(f) $4,000,000 of the general fund—state appropriation for fiscal year 2022 and $4,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

**Sec.**  2021 c 334 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2022) ((~~$228,658,000~~))

$217,022,000

General Fund—State Appropriation (FY 2023) ((~~$233,390,000~~))

$218,077,000

General Fund—Federal Appropriation $102,242,000

TOTAL APPROPRIATION ((~~$564,290,000~~))

$537,341,000

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

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

(2)(a) For the 2021-22 and 2022-23 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2021-22 and 2022-23; (ii) additional instruction of 3.0000 hours per week in school years 2021-22 and 2022-23 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2021, to August 31, 2021, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 357, Laws of 2020, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ((~~1.77~~)) 1.89 percent for school year 2021-22 and ((~~1.76~~)) 1.89 percent for school year 2022-23.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) $35,000 of the general fund—state appropriation for fiscal year 2022 and $35,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to track current and former transitional bilingual program students.

(6) $1,185,000 of the general fund—state appropriation in fiscal year 2022 and $1,185,000 of the general fund—state appropriation in fiscal year 2023 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec.**  2021 c 334 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2022) ((~~$446,816,000~~))

$449,472,000

General Fund—State Appropriation (FY 2023) ((~~$455,435,000~~))

$474,214,000

General Fund—Federal Appropriation $533,481,000

TOTAL APPROPRIATION ((~~$1,435,732,000~~))

$1,457,167,000

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

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2021-22 and 2022-23 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2021-22 and 2022-23 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2021-22 and 2022-23 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2021, to August 31, 2021, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 357, Laws of 2020, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2021-22 and 2022-23 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

(6) In addition to funding allocated under RCW 28A.150.260(10), the superintendent must allocate the following additional learning assistance program amounts to school districts:

(a) High poverty-based allocations in the 2022-23 school year for schools not eligible in the 2022-23 school year that were eligible for high poverty allocation in the previous school year.

(b) Allocations necessary to increase a school district's allocations under RCW 28A.150.260(10)(a)(i) up to an amount that would be generated based on the district's percentage of October headcount in grades K-12 eligible for free or reduced-price lunch in the 2019-20 school year if greater than the percentage allowed under RCW 28A.150.260(10)(a)(i).

**Sec.**  2021 c 334 s 518 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

|  |  |  |
| --- | --- | --- |
| Statewide Average Allocations  Per Annual Average Full-Time Equivalent Student | | |
| Basic Education Program | 2021-22  School Year | 2022-23  School Year |
| General Apportionment | ((~~$9,415~~))  $9,405 | ((~~$9,671~~))  $9,946 |
| Pupil Transportation | ((~~$587~~))  $644 | ((~~$595~~))  $645 |
| Special Education Programs | ((~~$9,874~~))  $9,976 | ((~~$10,290~~))  $10,660 |
| Institutional Education Programs | ((~~$22,730~~))  $26,347 | ((~~$23,220~~))  $27,210 |
| Programs for Highly Capable Students | $611 | ((~~$623~~))  $629 |
| Transitional Bilingual Programs | ((~~$1,430~~))  $1,442 | ((~~$1,442~~))  $1,475 |
| Learning Assistance Program | ((~~$961~~))  $964 | ((~~$967~~))  $986 |

**Sec.**  2021 c 334 s 519 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as expressly provided in subsection (4) of this section.

(4) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2022, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2022 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(5) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(6) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in ((~~section 942 of this act~~)) section 930 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in ((~~section 942 of this act~~)) section 930 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

**Sec.**  2021 c 334 s 520 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**

Washington Opportunity Pathways Account—State

Appropriation ((~~$140,838,000~~))

$145,969,000

TOTAL APPROPRIATION ((~~$140,838,000~~))

$145,969,000

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

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) $23,000 of the Washington opportunity pathways account—state appropriation is provided solely for enrollment stabilization allocations required in section 1519 of this act.

(3) $147,000 of the Washington opportunity pathways account—state appropriation is provided solely for transportation emergency allocations required in section 1516(3) of this act.

(4) $1,667,000 of the Washington opportunity pathways account—state appropriation is provided solely for enrollment stabilization allocations as required in section 523 of this act pursuant to Substitute Senate Bill No. 5563 (enrollment stabilization). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 521 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State

Appropriation $23,000

Charter Schools Oversight Account—State

Appropriation ((~~$3,605,000~~))

$3,881,000

TOTAL APPROPRIATION ((~~$3,628,000~~))

$3,904,000

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

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) $28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under Engrossed Substitute Senate Bill No. 5044 (schools/equity training). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(3) $238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec.**  2021 c 334 s 522 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2022) ((~~$80,319,000~~))

$80,305,000

General Fund—State Appropriation (FY 2023) ((~~$52,691,000~~))

$70,895,000

General Fund—Federal Appropriation $989,995,000

Elementary and Secondary School Emergency Relief

III—Federal Appropriation ((~~$1,850,386,000~~))

$1,850,527,000

TOTAL APPROPRIATION ((~~$2,973,391,000~~))

$2,991,722,000

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

(1) $4,894,000 of the general fund—state appropriation for fiscal year 2022 and $4,894,000 of the general fund—state appropriation for fiscal year 2023 are provided for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2022, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(2)(a) $2,752,000 of the general fund—state appropriation for fiscal year 2022 and $2,752,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, $1,075,000 of the 2022 appropriation and $1,075,000 of the 2023 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection, $800,000 of the fiscal year 2022 appropriation and $800,000 of the fiscal year 2023 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(b) $135,000 of the general fund—state appropriation for fiscal year 2022 and $135,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(c) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2022, a high school must have offered a foundational project lead the way course during the 2020-21 school year. The 2022 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2021-22 school year. To be eligible for funding in 2023, a high school must have offered a foundational project lead the way course during the 2021-22 school year. The 2023 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2022-23 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(d) $2,127,000 of the general fund—state appropriation for fiscal year 2022 and $2,127,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (i) through (iii) of this subsection (d), the skills center and high schools must be selected through a competitive grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (vi) of this subsection (d). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection:

(i) $900,000 of the general fund—state appropriation for fiscal year 2022 and $900,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) $350,000 of the general fund—state appropriation for fiscal year 2022 and $350,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) $350,000 of the general fund—state appropriation for fiscal year 2022 and $350,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (i) through (iii) of this subsection (d), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) $527,000 of the general fund—state appropriation for fiscal year 2022 and $527,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office to administer, evaluate, and promote programs under (i) through (iii) of this subsection (d) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. The office may also contract with an entity with experience promoting core plus programming across industry sectors and education providers to expand awareness and adoption of core plus programs.

(vi) The office shall convene and manage an advisory committee of industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, including grant determinations, reviewing data and outcomes, recommending program improvements, and ensuring the use of qualified contractors. The committee will advise the superintendent on appropriate credentials, industry-based competencies, and programs of study for high-demand sectors represented in these program areas.

(3)(a) $75,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, $15,000 of the general fund—state appropriation for fiscal year 2022 and $15,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) $373,000 of the general fund—state appropriation for fiscal year 2022 and $373,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), $10,000 of the general fund—state appropriation for fiscal year 2022 and $10,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(4)(a) $55,000 of the general fund—state appropriation for fiscal year 2022 and $55,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(b) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(c) $3,000,000 of the general fund—state appropriation for fiscal year 2022 and $3,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated $1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(5) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(6) $5,895,000 of the general fund—state appropriation for fiscal year 2022 and $5,895,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(a) Of the amount provided in this subsection (6), $446,000 of the general fund—state appropriation for fiscal year 2022 and $446,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection (6), $1,015,000 of the general fund—state appropriation for fiscal year 2022 and $1,015,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(c) Of the amounts provided in this subsection (6), $684,000 of the general fund—state appropriation for fiscal year 2022 and $684,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(d) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the demonstration site established with funding provided in this act.

(e) $55,000 of the general fund—state appropriation for fiscal year 2022 and $55,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(7)(a) $1,200,000 of the general fund—state appropriation for fiscal year 2022 and $1,200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(b) $36,000 of the general fund—state appropriation for fiscal year 2022 and $36,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(8) $375,000 of the general fund—state appropriation for fiscal year 2022 and $375,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(9)(a) $1,425,000 of the general fund—state appropriation for fiscal year 2022 and $1,425,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students.

(b) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(10)(a) $4,940,000 of the general fund—state appropriation for fiscal year 2022 and $4,940,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(b) $1,454,000 of the general fund—state appropriation for fiscal year 2022 and $1,454,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(c) $362,000 of the general fund—state appropriation for fiscal year 2022 and $362,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(11)(a) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(b)(i) $3,000,000 of the general fund—state appropriation for fiscal year 2022 and $3,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools for the 2021-22 and 2022-23 school years only. The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state.

(ii) The office must require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework. The report must include the number of students served disaggregated by gender, race, ethnicity, and free-and-reduced lunch eligibility as well as the number of industry certificates attained by type of certificate.

(c) $50,000 of the general fund—state appropriation for fiscal year 2022 and $50,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants of $2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(d) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to $500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(e) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(f) $62,000 of the general fund—state appropriation for fiscal year 2022 and $62,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(g) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(12) $85,000 of the general fund—state appropriation for fiscal year 2022 and $85,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the centrum program at Fort Worden state park.

(13) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged high school students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. The mentoring must include a focus on college readiness, career exploration and social-emotional learning. An applicant requesting funding for these dollars must successfully demonstrate to the department that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring high school youth for at least twenty years in the state prior to application.

(14) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(15) $850,000 of the general fund—state appropriation for fiscal year 2022 and $850,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2021-22 school year to school districts by August 10, 2021, and grants for the 2022-23 school year by August 1, 2022.

(a) Grant awards must be prioritized in the following order:

(i) High schools implementing the United States department of agriculture community eligibility provision;

(ii) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(iii) High schools located in school districts enrolling 5,000 or fewer students.

(b) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.

(c) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2018-19 or 2019-20 school year, whichever is higher, or $10,000.

(d) The office may award additional funding if:

(i) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(ii) The applicant shows a demonstrated need for additional support.

(16) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the south Kitsap school district to codevelop a pilot strategy to increase completion rates for the free application for federal student aid (FAFSA).

(17) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(18) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(19) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to administer a grants program for school districts to acquire and use research-based, social emotional learning curricula in accordance with the state social emotional learning standards. The office must prioritize school districts that do not have existing research based social emotional learning programs and that are also eligible for high-poverty allocations from the learning assistance program.

(20) $250,000 of the general fund—state appropriation for fiscal year 2022 and $250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office to contract with a nonprofit organization that specializes in using e-sports to engage students in seven career clusters to bring team-based, career related e-sports programs to each high school in the Battle Ground, Evergreen, and Vancouver school districts. Any funding remaining may be used for e-sports programs in the middle schools of the three school districts.

(21) $1,399,000 of the general fund—state appropriation for fiscal year 2022 and $1,399,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(22) The general fund—state appropriations in this section for fiscal year 2022 have been reduced by $24,000 ((~~and the general fund—state appropriations in this section for fiscal year 2023 have been reduced by $5,000~~)) to reflect global compensation savings. The office of financial management, in consultation with the office of the superintendent of public instruction, shall adjust allotments from the appropriations in this section, including allotments of amounts provided solely for a specific purpose, to reflect the reduction to the overall appropriation.

(23) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than $35,000 each fiscal year for office administration costs related to the contract.

(24) $9,850,000 of the general fund—state appropriation for fiscal year 2022 and $9,850,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of the superintendent of public instruction to administer the technology grant program established under Engrossed Second Substitute House Bill No. 1365 (schools/computers & devices). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(25) $199,000 of the general fund—state appropriation for fiscal year 2022 and $247,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the media literacy and digital citizenship grant program created in Engrossed Second Substitute House Bill No. 1365 (schools/computers & devices). Total grant awards may not exceed $150,000. Of the amounts provided in this subsection, $50,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for two regional conferences. ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(26) $70,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the southwest boys & girls club to provide community mentoring, academic intervention, and culturally specific supports through the "be great-graduate initiative" for a cohort of White Center youth identified as high risk.

(27) ((~~$250,000~~)) $236,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $14,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for grants to support teachers with costs associated with becoming certified, endorsed, or licensed in computer science including, but not limited to, professional development, training, licensure exams, courses in pedagogy, and courses in computer science content. Entities eligible for these funds include, but are not limited to, individual teachers, local education agencies, approved professional learning providers, and institutions of higher education located in Washington state.

(28) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Highline school district to contract with an organization to offer pre-apprenticeship opportunities for two cohorts of students in south King county during the summer months of 2021.

(29) $255,000 of the general fund—state appropriation for fiscal year 2022 and $255,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the continuation of the math improvement pilot program. The entirety of the funds appropriated for fiscal year 2022 must be disbursed by the office to the recipients of the grants no later than August 1, 2021, and the entirety of the funds appropriated for fiscal year 2023 must be disbursed by the office to the recipients of the grants no later than August 1, 2022. Of the amounts provided in the subsection:

(a) $85,000 of the general fund—state appropriation for fiscal year 2022 and $85,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Spokane school district.

(b) $85,000 of the general fund—state appropriation for fiscal year 2022 and $85,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Chehalis school district.

(c) $85,000 of the general fund—state appropriation for fiscal year 2022 and $85,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Bremerton school district.

(30) Within existing resources, the office shall develop recommendation to the legislature to merge the grant programs and specific appropriations of pass-through funding for certain activities or entities in this section into a competitive grant funding process in future biennia. A competitive process must allocate funding using the following five separate categories:

(a) Student supports and safety. Programs under this category will support the mental, social-emotional, and physical safety of students;

(b) Educator growth and development. Programs under this category will support the recruitment and retention of educators, and support their continual professional growth;

(c) Curricula development, dissemination, and supports. Programs under this category will support the development, implementation, and continuous improvement of curricula and other programs specific to state learning standards and content areas;

(d) Eliminating inequitable student outcomes. Programs under this category will increase outcomes for specific student groups, including students experiencing homelessness or foster care; and

(e) Graduation success and preparation for postsecondary pathways. Programs under this category will increase access to graduation pathways aligned with students' postsecondary goals and support for each student to graduate ready to achieve those goals. These may include dual credit programs; dropout prevention, intervention, and reengagement programs; core plus programs; and other high demand career and technical education programs.

(31) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the south Kitsap school district for the controls programmer apprenticeship program.

(32) $800,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$800,000~~)) $5,300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under section 3 of Substitute House Bill No. 1356 (Native American names, etc.).

(33) $10,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the office of the superintendent of public instruction to administer a grant program to provide outdoor learning and overnight camp experiences for 5th or 6th grade students in Washington public schools. Funding shall be provided to reimburse school districts for the per pupil cost of the outdoor learning programs with priority given to districts located in low-income communities. The programs may be up to five days of outdoor learning and may include overnight or day experiences that focus on environmental education aligned with Washington state learning standards.

(34) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Tacoma school district to identify specific career relevant coursework and facilities needed for the development of a comprehensive maritime focused career and technical education program for the south Puget Sound area in collaboration with the maritime industry in and around the port of Tacoma, the office of the superintendent of public instruction, the state board of education, and the workforce training board.

(35) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in Senate Bill No. 5657 (computer science instruction). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(36) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the grant program created in Second Substitute Senate Bill No. 5720 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff. If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(37) $1,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.

(38) $200,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the grant program created in Senate Bill No. 5487 (school consolid. incentives) that provides consolidation planning grants to school districts.

(39) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) $12,885,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) $742,367,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection ((~~(33)~~)) (39)(b) and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c)(i) $46,263,000 of the general fund—federal appropriation (CRRSA/GEER) is provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection ((~~(33)~~)) (39)(c)(i) and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(ii) $43,708,000 of the general fund—federal appropriation (ARPA) is provided solely to provide emergency assistance to nonpublic schools, as authorized in section 2002, the American rescue plan act of 2021, P.L. 117-2.

(d) $1,333,801,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies.

(e) $333,450,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total funds provided under this subsection ((~~(33)~~)) (39)(e) and section 1518(33)(b) of this act for the same purpose may not exceed the funding authorized in this subsection ((~~(33)~~)) (39)(e).

(f) $18,525,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(g) $18,525,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive afterschool programs.

(h) $10,000,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners.

(i) $4,000,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities.

(j) $4,000,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2021-22 school year and summer prior to the start of the school year.

(k) $60,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support a technical advisory workgroup to explore and recommend residency options for pre-service educators, with a focus on educators of color and bilingual speakers and how the apportionment system could support a teacher residency initiative. The workgroup will provide preliminary recommendations by November 1, 2021, and final recommendations by November 1, 2022.

(l) $78,172,000 of the general fund—federal appropriation is provided solely for allocations from federal funding in response to the COVID-19 pandemic as authorized in section 18003, the coronavirus aid, relief, and economic security act, P.L. 116-136, division B. Total funds provided under this subsection ((~~(33)~~)) (39)(l) and amounts expended in the 2019-2021 fiscal biennium for the same purpose may not exceed the federal amounts provided in section 18003, the coronavirus response and relief supplemental appropriation act, P.L. 116-136, division B.

(m) $10,000,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences. The association, in consultation with the office, must provide grants to school districts that partner with an accredited residential outdoor school to provide up to 20,000 fifth and sixth grade students with up to five days of outdoor learning at an overnight camp. Prioritization must be given to schools that have been identified for improvement and students who are most impacted by opportunity gaps as determined by measures of the Washington school improvement framework. Outdoor schools must provide curriculum that is aligned to state learning standards and provide opportunities for accelerated learning, including career connected learning in field based environmental science, technology, engineering, and math. Funds may be used by residential outdoor schools for operational activities necessary for reopening.

(n) ((~~$12,000,000~~)) $12,141,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(i) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(ii) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(o) $27,375,000 of the general fund—state appropriation for fiscal year 2022, $79,485,000 of the general fund—federal appropriation (CRRSA/ESSER), and $93,140,000 of the elementary and secondary school emergency relief III account—federal appropriation are provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

**PART VI**

**HIGHER EDUCATION**

**Sec.**  2021 c 334 s 603 (uncodified) is amended to read as follows:

**PUBLIC BACCALAUREATE INSTITUTIONS**

(1) The state universities, the regional universities, and The Evergreen State College must accept the transfer of college-level courses taken by students under RCW 28A.600.290 or 28A.600.300 if a student seeking a transfer of the college-level courses has been admitted to the state university, the regional university, or The Evergreen State College, and if the college-level courses are recognized as transferrable by the admitting institution of higher education.

(2) Appropriations in sections 606 through 611 of this act are sufficient to implement 2021-23 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW.

(3) Within amounts appropriated to institutions in sections 606 through 611 of this act, institutions shall employ at least one full-time mental health counselor licensed under chapter 18.225 RCW who has experience working with active members of the military or military veterans, to work with student, faculty, and staff veterans, as well as their spouses and dependents, through the institution's veteran resource center.

(4) Appropriations in sections 604 through 609 of this act are sufficient to implement the results of the collective bargaining process from reopening the 2021-2023 contracts for the limited purpose of bargaining over compensation.

(5) For institutions of higher education receiving funding for cybersecurity academic programs for students in sections 605 through 609 of this act, each institution must coordinate with the student achievement council as provided in section 610(14) of this act and submit a progress report on new or expanded cybersecurity academic programs, including the number of students enrolled.

**Sec.**  2021 c 334 s 604 (uncodified) is amended to read as follows:

**STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

(1) Appropriations in section 605 of this act are sufficient to implement 2021-23 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(2) Appropriations in section 603 of this act are sufficient to implement the results of the collective bargaining process from reopening the 2021-2023 contracts for the limited purpose of bargaining over compensation.

**Sec.**  2021 c 334 s 605 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$742,558,000~~))

$745,755,000

General Fund—State Appropriation (FY 2023) ((~~$768,651,000~~))

$835,946,000

General Fund—Federal Appropriation $64,000

Community/Technical College Capital Projects

Account—State Appropriation $22,436,000

Education Legacy Trust Account—State Appropriation ((~~$159,208,000~~))

$160,033,000

Workforce Education Investment Account—State

Appropriation ((~~$219,259,000~~))

$236,883,000

TOTAL APPROPRIATION ((~~$1,912,112,000~~))

$2,001,117,000

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

(1) $33,261,000 of the general fund—state appropriation for fiscal year 2022 and $33,261,000 of the general fund—state appropriation for fiscal year 2023 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2022 and at least 7,170 full-time equivalent students in fiscal year 2023.

(2) $5,000,000 of the general fund—state appropriation for fiscal year 2022, $5,000,000 of the general fund—state appropriation for fiscal year 2023, and $5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) $425,000 of the general fund—state appropriation for fiscal year 2022 and $425,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for Seattle Central College's expansion of allied health programs.

(4)(a) $5,250,000 of the general fund—state appropriation for fiscal year 2022 and $5,250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the student achievement initiative.

(b) By December 1, 2021, the state board for community and technical colleges must report to the appropriate committees of the legislature an update on the student achievement initiative including, but not limited to, the following:

(i) Annual change in student achievement initiative funds by institution;

(ii) Student achievement initiative funds awarded by college by performance funding category including basic skills, first 15 and 30 credits, retention, and completion;

(iii) Impact of guided pathways implementation on student achievement initiative awards; and

(iv) Any additional private or foundation dollars invested in the student achievement initiative.

(5) $1,610,000 of the general fund—state appropriation for fiscal year 2022, and $1,610,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the mathematics, engineering, and science achievement program.

(6) $1,500,000 of the general fund—state appropriation for fiscal year 2022 and $1,500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) ((~~$20,759,000~~)) $21,428,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$21,154,000~~)) $21,920,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) $157,000 of the general fund—state appropriation for fiscal year 2022 and $157,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14)(a) The state board must provide quality assurance reports on the ctcLink project at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(b) The state board must develop a technology budget using a method similar to the state capital budget, identifying project costs, funding sources, and anticipated deliverables through each stage of the investment and across fiscal periods and biennia from project initiation to implementation. The budget must be updated at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(c) The office of the chief information officer may suspend the ctcLink project at any time if the office of the chief information officer determines that the project is not meeting or is not expected to meet anticipated performance measures, implementation timelines, or budget estimates. Once suspension or termination occurs, the state board shall not make additional expenditures on the ctcLink project without approval of the chief information officer. The ctcLink project funded through the community and technical college innovation account created in RCW 28B.50.515 is subject to the conditions, limitations, and review provided in section 701 of this act.

(15) $216,000 of the general fund—state appropriation for fiscal year 2022 and $216,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the opportunity center for employment and education at North Seattle College.

(16) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(17) $350,000 of the general fund—state appropriation for fiscal year 2022 and $350,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(18) $338,000 of the general fund—state appropriation for fiscal year 2022 and $338,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington state labor education and research center at South Seattle College.

(19) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(20) $15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(21) $15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(22) $1,500,000 of the general fund—state appropriation for fiscal year 2022, $1,500,000 of the general fund—state appropriation for fiscal year 2023, and $75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(23) $100,000 of the general fund—state appropriation for fiscal year 2022 and $100,000 of the general fund—state appropriation for fiscal 2023 are provided solely for a reentry navigator position at Olympic College to assist formerly incarcerated people gain admittance into college. A report shall be submitted to the legislature by December 1, 2022, on admittance rates on formerly incarcerated individuals, effective methods of contact and engagement of formerly incarcerated individuals, and how guided pathways can be assisted with reentry navigator positions.

(24) $40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(25) $40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(26) $8,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to expand high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (26):

(a) $6,000,000 of the amounts in this subsection (26) are provided for expansion of career launch enrollments, as provided under RCW 28C.30.020.

(b) $2,000,000 of the amounts in this subsection (26) are provided for expansion of enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection (26) if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(27) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the state board for community and technical colleges to support the completion of the English 101 curriculum review to remove barriers to student success. A report should be submitted to the appropriate committees of the legislature under RCW 43.01.036 by June 30, 2023, or upon the completion of the English 101 review to report on lessons learned, best practices, and recommendations for completion of additional curricula reviews.

(28) $8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(29) $10,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the state board for community and technical colleges to coordinate with the Washington student achievement council task force as described in section 612(6) of this act to provide the following running start data for fiscal year 2019, fiscal year 2020, and fiscal year 2021, for each community and technical college:

(a) The total number of running start students served by headcount and full-time equivalent;

(b) The total amount of running start revenue received through apportionment as allocated with the running start rate by the office of the superintendent of public instruction through local school districts;

(c) Course completion rates for running start students;

(d) A list of courses by two-digit classification of instructional program code and the number of running start students in each course;

(e) A list of career and technical education area courses and the number of running start students in each course;

(f) The number of students at each community or technical college receiving complete fee waivers as required by RCW 28A.600.310(3)(a); and

(g) The method used by each college to determine running start fee waiver eligibility, including any policies adopted by the college or its program.

(30) $16,000 of the general fund—state appropriation for fiscal year 2022 and $91,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1044 (prison to postsecondary ed.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(31) $516,000 of the general fund—state appropriation for fiscal year 2022 and $516,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute House Bill No. 1166 (college students pilot). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(32) $350,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(33) $2,048,000 of the general fund—state appropriation for fiscal year 2022 and $1,119,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(34) $15,848,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5194 (equity and access in higher education). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(35)(a) $5,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, pre-apprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations;

(iii) Curriculum development and instructor training for driving, repair and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver training, mechanical, and support functions that support the trucking industry and the school bus driving industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, pre-apprenticeships, pre-employment training, commercial vehicle driver training, vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to 5 percent of funds for administration of grants.

(36) $8,000,000 of the workforce education investment account—state appropriation is provided solely for grants to purchase or upgrade simulation laboratory equipment.

(37) $205,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(38)(a) $7,018,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section 610(14) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(39) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $7,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to expand the opportunity grant program to provide health care workforce grants for students.

(40) $1,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the development of a climate solutions and climate justice curriculum.

(41) $2,932,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to expand the homeless student assistance pilot program to all 34 community and technical colleges. The colleges participating in the pilot program are subject to the same requirements as in RCW 28B.50.916.

(42)(a) $2,304,000 of the workforce education investment account—state appropriation is provided solely for Afghan refugee education.

(b) The board must submit a progress report to the appropriate committees of the legislature pursuant to RCW 43.01.036 by June 30, 2023, and a final report is expected on December 1, 2024, providing the following information:

(i) The total number of refugees served;

(ii) The colleges and community-based organization that provided educational programs, including the programs offered and the number of refugees served in the programs;

(iii) The number of refugees enrolled in the integrated basic education and skills training program; and

(iv) Findings and recommendations on Afghan refugee education, including any continued need for educational resources.

(43) $2,000,000 of the general fund—state appropriation for fiscal year 2022 and $3,497,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC, Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(44) $2,720,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for grants for community and technical colleges to partner with community-based organization to extend financial aid access and support into communities.

(45)(a) $80,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The legislature expects the state board, in collaboration with the student achievement council and the health benefit exchange, to report to the appropriate committees of the legislature information about barriers students, including those enrolled in state registered apprenticeship programs, encountered to accessing health insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(46) $4,146,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(47) $331,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Engrossed Second Substitute Senate Bill No. 5764 (apprenticeships and higher ed). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(48) $183,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(49) $75,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the state board to convene dental stakeholders to develop recommendations to address dental workforce shortages and necessary educational transformations. By December 15, 2022, the state board and the dental stakeholders must report findings and recommendations to the appropriate committees of the legislature pursuant to RCW 43.01.036.

**Sec.**  2021 c 334 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2022) ((~~$394,246,000~~))

$391,768,000

General Fund—State Appropriation (FY 2023) ((~~$403,164,000~~))

$427,034,000

Aquatic Lands Enhancement Account—State

Appropriation ((~~$1,619,000~~))

$1,631,000

University of Washington Building Account—State

Appropriation $1,546,000

Education Legacy Trust Account—State Appropriation ((~~$36,708,000~~))

$37,065,000

Economic Development Strategic Reserve Account—State

Appropriation ((~~$3,094,000~~))

$3,102,000

Biotoxin Account—State Appropriation ((~~$605,000~~))

$609,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) $263,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$263,000~~))

$325,000

Accident Account—State Appropriation ((~~$7,874,000~~))

$8,004,000

Medical Aid Account—State Appropriation ((~~$7,468,000~~))

$7,580,000

Workforce Education Investment Account—State

Appropriation ((~~$49,853,000~~))

$52,394,000

Geoduck Aquaculture Research Account—State

Appropriation ((~~$15,000~~))

$23,000

TOTAL APPROPRIATION ((~~$906,718,000~~))

$931,344,000

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

(1) ((~~$43,087,000~~)) $44,474,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$43,905,000~~)) $45,497,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(3) $8,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) $14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) $3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) $7,345,000 of the general fund—state appropriation for fiscal year 2022 and $7,345,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) $2,625,000 of the general fund—state appropriation for fiscal year 2022 and $2,625,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) $1,200,000 of the general fund—state appropriation for fiscal year 2022 and $1,800,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) $172,000 of the general fund—state appropriation for fiscal year 2022 and $172,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a University of Washington study in the south Cascades to determine current wolf use and density, and to gather baseline data to understand the effects of wolf recolonization on predator-prey dynamics of species that currently have established populations in the area.

(a) The study objectives shall include:

(i) Determination of whether wolves have started to recolonize a 5,000 square kilometer study area in the south Cascades of Washington, and if so, an assessment of their distribution over the landscape as well as their health and pregnancy rates;

(ii) Baseline data collection, if wolves have not yet established pack territories in this portion of the state, that will allow for the assessment of how the functional densities and diets of wolves across the landscape will affect the densities and diets in the following predators and prey: Coyote, cougar, black bear, bobcat, red fox, wolverine, elk, white tailed deer, mule deer, moose, caribou, and snowshoe hare;

(iii) Examination of whether the microbiome of each species changes as wolves start to occupy suitable habitat; and

(iv) An assessment of the use of alternative wildlife monitoring tools to cost-effectively monitor size of the wolf population over the long-term.

(b) A report on the findings of the study shall be shared with the Washington department of fish and wildlife.

(13)(a) $20,000,000 of the general fund—state appropriation for fiscal year 2022 and $20,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to support the operations and teaching mission of the Harborview Medical Center and the University of Washington Medical Center.

(b) By December 1, 2022, the University of Washington must report to the appropriate committees of the legislature the impact of the funding in (a) of this subsection on the fiscal position of Harborview medical center and the University of Washington medical center in the 2021-2023 fiscal biennium. To ensure transparency, consistency, accuracy, and clarity, the report must:

(i) Follow generally accepted accounting principles;

(ii) Use generally accepted terms and define those terms;

(iii) Provide data on revenue and expenses, using standard formats already in existence, such as comprehensive hospital abstract reporting system (CHARS) data, and delineated by functional areas of state government;

(iv) Incorporate wherever possible publicly available data, as a public institution including, but not limited to, the following sources:

(A) CHARS;

(B) Comprehensive annual financial reports; and

(C) The most recent independent auditor report, including financial statements connected to the report; and

(v) Provide supporting documentation.

(14) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—appropriation for fiscal year 2023 are provided solely for the University of Washington's psychiatry integrated care training program.

(15) $426,000 of the general fund—state appropriation for fiscal year 2022 and $640,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(16) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(17) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(18) $226,000 of the general fund—state appropriation for fiscal year 2022 and $226,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(19) $102,000 of the general fund—state appropriation for fiscal year 2022 and $102,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the university's center for international trade in forest products.

(20) $625,000 of the general fund—state appropriation for fiscal year 2022 and $625,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Latino center for health.

(21) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a firearm policy research program. The program will:

(a) Support investigations of firearm death and injury risk factors;

(b) Evaluate the effectiveness of state firearm laws and policies;

(c) Assess the consequences of firearm violence; and

(d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(22) $463,000 of the general fund—state appropriation for fiscal year 2022 and $400,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the climate impacts group in the college of the environment.

(23) $225,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the climate impacts group in the college of the environment to provide an updated climate impacts risk assessment designed to inform future updates to the statewide climate resilience strategy. The group must coordinate with the office of the governor to refine the scope of assessment. The final report and associated deliverables must be completed and submitted to the governor and appropriate committees of the legislature by December 15, 2022.

(24) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(25) $300,000 of the general fund—state appropriation for fiscal year 2022 and $300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(26) $21,461,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(27) $8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(28) $8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(29) $1,000,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program.

(30) $2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.

(31) $3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.

(32) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs.

(33) $75,000 of the general fund—state appropriation for fiscal year 2022 and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.

(34) ((~~$4,000,000~~)) $6,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 100 degrees per year focusing on traditionally underrepresented students. A report on degrees awarded must be submitted to the appropriate committees of the legislature June 30, 2022, and June 30, 2023.

(35) $45,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the community immersion law enforcement project at the Tacoma campus.

(36)(a) $200,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for research to determine the use and effectiveness of restorative justice, including for hate crime victims and individuals who commit hate crimes. Researchers shall engage in listening sessions with impacted communities, which must include tribal governments and community-based organizations. Researchers shall consult with judges, prosecutors, defense attorneys, victim advocates, impacted communities, and community based restorative justice agencies to inform whether restorative justice would be an effective public policy option to:

(i) Provide healing support for individual hate crime victims and their communities;

(ii) Provide accountability processes for individuals who commit hate crimes;

(iii) Provide opportunities for individuals who commit hate crimes to learn about the impact of their crimes and repair the damage;

(iv) Repair interpersonal and communal relationships;

(v) Reduce hate crime offender recidivism; and

(vi) Determine if restorative justice could be equally available to all victims and communities.

(b) The researcher shall provide a report to the relevant committees of the legislature under RCW 43.01.036 by December 1, 2021. The report must include best practice recommendations for establishing a restorative justice program and required data collection to address hate crimes in Washington. The report shall include how restorative justice recommendations can be implemented in conjunction with the recommendations of the hate crime advisory working group established in RCW 43.10.300.

(37) $250,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for scholarships to students in the applied child and adolescent psychology masters program. Priority should be given to traditionally underrepresented students and those students who are bilingual.

(38) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:

(a) Foundational knowledge in behavioral health, mental health, and mental illness;

(b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and

(c) Approaches to promote health and positively influence student health behaviors.

(39) To ensure transparency and accountability, in the 2021-2023 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(40) $50,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the department of environmental and occupational health sciences to provide an air quality report. The report will study the relationship between indoor and outdoor ultrafine particle air quality at sites with vulnerable populations, such as schools or locations underneath flight paths within 10 miles of Sea-Tac airport. The report recommendations must include an item addressing filtration systems at select locations with vulnerable populations. The report shall be submitted to the house environment and energy committee and the senate environment, energy and technology committee by December 15, 2021.

(41) $100,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$100,000~~)) $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:

(a) Increasing the number of students who participate in Burke education programs at reduced or no cost;

(b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state; and

(c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably through the Burkemobile program.

(42)(a) $100,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the center for cannabis research at the university to collaborate with the Washington State University collaboration on cannabis policy, research, and outreach to create frameworks for future studies. Each framework will include the length of time to complete, research licenses necessary, cost, literature review of national and international research, and a scope of work to be completed. The following frameworks shall be compiled in a report:

(i) Measuring and assessing impairment due to marijuana use; and

(ii) Correlation between age of use, dosage of use, and appearance of occurrence of cannabis induced psychosis.

(b) The report on the frameworks must be submitted to the appropriate committees of the legislature by December 1, 2021.

(43) $205,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$205,000~~)) $410,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(44) $143,000 of the general fund—state appropriation for fiscal year 2022 and $143,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(45) $450,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to the University of Washington school of medicine for the development of simulation training devices at the Harborview medical center's paramedic training program.

(46) $64,000 of the general fund—state appropriation for fiscal year 2022 and $64,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(47) $557,000 of the general fund—state appropriation for fiscal year 2022 and $443,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the creation of the center for environmental forensic science.

(48) $80,000 of the general fund—state appropriation for fiscal year 2022 and $80,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the college of education to partner with school districts to continue the math improvement pilot program.

(49) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the university to conduct monitoring and research related to Puget Sound kelp conservation and recovery.

(50) $20,000 of the general fund—state appropriation for fiscal year 2022 and $10,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to expand online tutorial and link to web-based, continuing education funded by the centers for disease control for training for the primary care health workforce regarding the protocols for perinatal monitoring, birth-dose immunization, early diagnosis, linkage to care, and treatment for persons diagnosed with chronic hepatitis B or hepatitis using a telehealth model operated by the University of Washington.

(a) Training shall:

(i) Focus on increased provider proficiency and increased number of trained providers in areas with high rates of reported cases of hepatitis B or hepatitis, including regions with high incidence of drug use or upward trend of children who have not received hepatitis B virus vaccinations according to centers for disease control recommendations; and

(ii) Provide access to:

(A) University of Washington medicine specialists in infectious diseases, hepatology, and addiction medicine;

(B) Brief updates on evidence-based strategies to diagnose, treat, and manage acute and chronic hepatitis B, acute and chronic hepatitis C, or coinfections;

(C) Continuing medical education credits per hour of participation; and

(D) Phone consultation with specialists during nonscheduled time for patients who experience complications.

(b) All digital and hardcopy training, educational, and outreach materials for this program must be culturally relevant and linguistically diverse.

(51)(a) $108,000 of the general fund—state appropriation for fiscal year 2022 and $52,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the University of Washington Evans school of public policy and governance to conduct a boater safety analysis, including, but not limited to, the following:

(i) The prevalence of boating fatalities and rescues in Washington state;

(ii) A comparison of Washington's rates of fatalities and rescues to other states; and

(iii) Recommendations of effective and collective ways to increase boater safety in the state.

(b) The Evans school may convene stakeholders to analyze data and make recommendations. By December 31, 2022, the Evans school must submit a report of findings and recommendations to the appropriate committees of the legislature.

(52) $736,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1272 (health system transparency). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(53) $159,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(54) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1335 (racial restrictions/review). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(55) $24,000 of the general fund—state appropriation for fiscal year 2022 and $25,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Substitute House Bill No. 1196 (audio-only telemedicine). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(56) $69,000 of the general fund—state appropriation for fiscal year 2022 and $69,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5194 (equity and access in higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(57) $60,000 of the general fund—state appropriation for fiscal year 2022 and $60,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5141 (environmental justice task force recs). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(58) $146,000 of the general fund—state appropriation for fiscal year 2022 and $158,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(59) $422,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of chapter 6, Laws of 2021 (Engrossed Substitute Senate Bill No. 5272).

(60) The appropriations in this section include sufficient funding for the implementation of chapter 96, Laws of 2021 (Substitute Senate Bill No. 5228).

(61) $50,000 of the general fund—state appropriation for fiscal year 2022 and $1,782,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5126 (climate commitment act). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(62) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for an increase in financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over $35,000 per year. Programs shall create mechanisms to prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

(63) $1,250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(64) $2,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(65) The supporting capital costs for expanding the clean energy testbeds network is established in section 5013, chapter . . ., Laws of 2022 (the 2022 supplemental omnibus capital budget).

(66) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the University of Washington school of medicine to collaborate with the office of the superintendent of public instruction, the commission on African American affairs, the commission on Hispanic affairs, the commission on Asian Pacific American affairs, and the governor's office of Indian affairs to provide mentoring, career awareness, and preparation for students of color in grades 6 and up who are interested in pursuing a career in medicine.

(67) $505,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the University of Washington school of pharmacy/medicine pharmacy services to create a pharmacy behavioral health residency program.

(68) $800,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the institute for health metrics and evaluation to conduct a three-year study of community health metrics, disparities, and drivers in rural and eastern Washington.

(69) Within the amounts appropriated in this section, the University of Washington must explore pathways for providing direct admissions to the nursing programs at the Seattle campus. By December 1, 2022, the university must report pursuant to RCW 43.01.036 to the appropriate committees of the legislature recommendations for direct admissions, including a timeline for implementation and estimated costs.

(70) $232,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the center for environmental forensic science for the procurement of an AccuTOF DART mass spectrometry system to perform rapid forensic wood identification to combat illegal logging and associated trade.

(71) $300,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a community inventory to help align the Washington park arboretum's future planning with the diverse needs and priorities of the community.

(72) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.

(73) $5,456,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(74) $18,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Engrossed Second Substitute Senate Bill No. 5764 (apprenticeships and higher ed). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(75) $116,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Substitute Senate Bill No. 5626 (water system plans/climate). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(76) $277,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Substitute Senate Bill No. 5644 (behavior health co-response). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(77) $15,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Engrossed Substitute Senate Bill No. 5874 (military student residency). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(78) $102,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the university to collaborate with the department of health and the health care authority to develop a licensure and regulatory program for behavioral health support specialists consistent with the provisions in Engrossed Second Substitute Senate Bill No. 5884 (behavioral health support).

(79) $107,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(80) $89,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Engrossed Second Substitute Senate Bill No. 5597 (voting rights). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(81) $225,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a public-private partnership between the center for health workforce studies and dental health stakeholders to develop a dental workforce reporting program. The program shall:

(a) Provide ongoing assessment of the supply and distribution of, and demand for, the state's oral health workforce;

(b) Conduct studies to describe the demographic, education, and practice characteristics of occupations engaged in providing oral health care and to improve understanding of workplace factors that influence workforce recruitment and retention; and

(c) Display and disseminate findings through a public facing website dashboard and through findings briefs accessible from the website, among other methods of dissemination.

(82) $1,543,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5723 (diversity in clinical trials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(83) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to the center for an informed public for research to identify new technologies and strategies to resist strategic misinformation in collaboration with Finnish higher education institutions and organizations. By June 30, 2023, the center must submit a report pursuant to RCW 43.01.036 to the appropriate committees of the legislature on the use of funds, key metrics and deliverables, and recommendations for further opportunities for collaboration.

**Sec.**  2021 c 334 s 607 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2022) ((~~$245,660,000~~))

$246,465,000

General Fund—State Appropriation (FY 2023) ((~~$251,842,000~~))

$265,812,000

General Fund—Federal Appropriation $500,000

Washington State University Building Account—State

Appropriation $792,000

Education Legacy Trust Account—State Appropriation $33,995,000

Model Toxics Control Operating Account—State

Appropriation $2,076,000

Dedicated Marijuana Account—State Appropriation

(FY 2022) $138,000

Dedicated Marijuana Account—State Appropriation

(FY 2023) ((~~$138,000~~))

$175,000

Workforce Education Investment Account—State

Appropriation ((~~$29,680,000~~))

$34,128,000

Waste Reduction, Recycling, and Litter Control

Account—State Appropriation $331,000

TOTAL APPROPRIATION ((~~$565,152,000~~))

$584,412,000

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

(1) $90,000 of the general fund—state appropriation for fiscal year 2022 and $90,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) $7,000,000 of the general fund—state appropriation for fiscal year 2022, $7,000,000 of the general fund—state appropriation for fiscal year 2023, and $22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) $135,000 of the general fund—state appropriation for fiscal year 2022 and $135,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a honey bee biology research position.

(7) ((~~$30,628,000~~)) $31,614,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$31,210,000~~)) $32,341,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) $580,000 of the general fund—state appropriation for fiscal year 2022 and $580,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) $630,000 of the general fund—state appropriation for fiscal year 2022 and $630,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) $1,370,000 of the general fund—state appropriation for fiscal year 2022 and $1,370,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) $1,154,000 of the general fund—state appropriation for fiscal year 2022 and $1,154,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 36, Laws of 2017 3rd sp. sess. (renewable energy, tax incentives).

(13) $376,000 of the general fund—state appropriation for fiscal year 2022 and $376,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for chapter 202, Laws of 2017 (E2SHB 1713) (children's mental health).

(14) $585,000 of the general fund—state appropriation for fiscal year 2022 and $585,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of chapter 159, Laws of 2017 (2SSB 5474) (elk hoof disease).

(15)(a) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the joint center for deployment and research in earth abundant materials.

(b) By December 1, 2021, the joint center for deployment and research in earth abundant materials must report to the appropriate committees of the legislature on the center's research grant program, including but not limited to the following:

(i) The annual amount of funding available for the grant program, including any private or foundation dollars;

(ii) The average award amount per project;

(iii) The educational impact of funded projects on high schools and community and technical colleges; and

(iv) The impact of project findings on technologies in Washington using earth-abundant materials.

(16) $2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(17) $6,880,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(18) $20,000 of the general fund—state appropriation for fiscal year 2022 and $20,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the office of clean technology to convene a sustainable aviation biofuels work group to further the development of sustainable aviation fuel as a productive industry in Washington. The work group must include members from the legislature and sectors involved in sustainable aviation biofuels research, development, production, and utilization. The work group must provide a report including any pertinent recommendations to the governor and appropriate committees of the legislature by December 1, 2022.

(19) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Washington State University's energy program to launch a least-conflict priority solar siting pilot project in the Columbia basin of eastern and central Washington. This program shall engage all relevant stakeholders to identify priority areas where there is the least amount of potential conflict in the siting of utility scale PV solar and to develop a map highlighting these areas. The program shall also compile the latest information on opportunities for dual-use and colocation of PV solar with other land values. The appropriation is the maximum amount the department may expend for this purpose.

(20) $42,000 of the general fund—state appropriation for fiscal year 2022 and $42,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(21) $175,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the William D. Ruckelshaus center to partner with the Washington State University for the continued work of the Washington state criminal sentencing task force established in section 1002 of this act.

(22)(a) $85,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the William D. Ruckelshaus center to conduct a situation assessment to gauge the prospects for a collaborative approach to integration of leadership, aligning roles and responsibilities, and increasing efficiency and responsiveness of the state's K-12 education governance structure. The assessment must:

(i) Identify issues, challenges, and opportunities related to administration and governance of K-12 education in Washington state;

(ii) Consist of interviews with representatives of state-funded K-12 education agencies, boards, commissions, and other relevant entities identified by the center;

(iii) Explore potential opportunities for the integration, alignment, and/or consolidation of roles and responsibilities of entities; and

(iv) Identify key areas of focus.

(b) The center must report the assessment's findings and recommendations to the education committees of the legislature by March 31, 2022, with a preliminary report by February 1, 2022, as to whether circumstances support the convening and facilitation of a collaborative work group.

(23)(a) $331,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the university to conduct an organic waste study to:

(i) Assess local and state government compost usage in projects and buy-back programs under RCW 43.19A.120 and 43.19A.130 including but not limited to participation, effectiveness, and amount and types of usage of compost; and

(ii) Develop a model to estimate carbon sequestration from organic waste-derived soil amendment application to soil, and identify technologies, methods, and potential funding for carbon sequestration from Washington's organic wastes including but not limited to the potential inclusion of these materials in carbon markets and trading.

(b) The university must submit a report on the assessment's findings and model development to the appropriate committees of the legislature by December 31, 2022.

(24) $500,000 of the general fund—federal appropriation (CRRSA) is provided solely to support farm stress programs in response to the COVID-19 pandemic, as authorized in section 766, division N, consolidated appropriations act, 2021, P.L. 116-260.

(25) $200,000 of the general fund—state appropriation for fiscal year 2022 and $200,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Third Substitute House Bill No. 1091 (transportation fuel/carbon). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(26) $86,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(27) $101,000 of the general fund—state appropriation for fiscal year 2022 and $101,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(28) $281,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of chapter 6, Laws of 2021 (Engrossed Substitute Senate Bill No. 5272).

(29) The appropriations in this section include sufficient funding for the implementation of chapter 96, Laws of 2021 (Substitute Senate Bill No. 5228).

(30) $224,000 of the general fund—state appropriation for fiscal year 2022 and $221,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute Senate Bill No. 5253 (pollinator health). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(31) $1,718,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5126 (climate commitment act). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(32) $412,000 from the institutions of higher education—grant and contracts account is provided solely for implementation of Substitute Senate Bill No. 5317 (pesticide registration). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection shall lapse.~~))

(33) $2,392,000 of the workforce education investment account—state appropriation is provided solely to establish an information assurance major within the bachelor's degree in business administration.

(34) $2,056,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(35) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Elson S. Floyd College of Medicine to collaborate with the office of the superintendent of public instruction, the commission on African American affairs, the commission on Hispanic affairs, the commission on Asian Pacific American affairs, and the governor's office of Indian affairs to provide mentoring, career awareness, and preparation for students of color in grades 6 and up who are interested in pursuing a career in medicine.

(36) $33,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(37) $341,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the college of pharmacy and pharmaceutical sciences to create a pharmacy behavioral health residency program.

(38)(a) $175,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington state academy of sciences for a review of department of fish and wildlife fishery-related mortality estimates for wild salmonid stocks from conventional and alternative commercial fishing gears authorized for use within lower Columbia river nontribal salmon fisheries, specifically gill net, tangle net, beach seine, purse seine, and pound net, and the ability of each fishing gear to selectively harvest hatchery-reared salmon.

(b) The review must:

(i) Determine the extent to which wild salmonid stocks are harvested in a gear-specific fishery, including a review of current stock composition estimates;

(ii) Identify and synthesize stock-specific data and peer-reviewed scientific literature that exists for immediate and long-term post-release mortality rates and annual wild salmonid stock encounters for each gear within specific fishing seasons in the lower Columbia river; and

(iii) Determine the origins and scientific bases of stock-specific bycatch mortality rate estimates currently used by the department of fish and wildlife for management of endangered species act listed fish stocks impacted by each nontribal commercial fishing gear and evaluate the precision and accuracy of these estimates relative to the data and peer-reviewed scientific literature that exists.

(c) By June 30, 2023, the Washington academy of sciences must submit a report to the appropriate committees of the legislature pursuant to RCW 43.01.036 of its findings and recommendations related to gear-specific data gaps and the need to potentially reassess approved bycatch mortality and encounter rates used by the department of fish and wildlife for fishery management. It is intended that the report will inform development of an investment plan and management strategy to continue the transition of lower Columbia river nontribal commercial fisheries toward science-based selective fishing regimes that create the least harm to wild salmonids and are most beneficial to Columbia river basin salmon recovery efforts.

(39) $188,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(40) $608,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington state, pursuant to its memorandum of understanding with the university.

(41) $1,511,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(42) $80,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5764 (apprenticeships and higher ed). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(43) $62,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(44) $500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington state commission on pesticide registration for research to develop alternatives for growers currently using organophosphate pesticides.

(45) $500,000 of the general fund—state appropriation for
fiscal year 2023 is provided solely for Washington State University to partner with a nonprofit entity based in Olympia that focuses on sustainable infrastructure solutions to develop recommendations for increasing the economic value and sustainability of Washington's agricultural sector through the use of industrial symbiosis principles, to connect agriculture producers and processors with partners to achieve synergies through systems-based resource sharing resulting in economic benefits and value creation for all participants, through sustainable resource recovery and optimization of energy, water, and organic waste streams. By June 30, 2023, the Washington State University must report recommendations to the appropriate committees of the legislature pursuant to RCW 43.01.036.

**Sec.**  2021 c 334 s 608 (uncodified) is amended to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2022) ((~~$58,079,000~~))

$58,287,000

General Fund—State Appropriation (FY 2023) ((~~$59,057,000~~))

$67,748,000

Education Legacy Trust Account—State Appropriation $16,838,000

Workforce Education Investment Account—State

Appropriation ((~~$5,210,000~~))

$9,074,000

TOTAL APPROPRIATION ((~~$139,184,000~~))

$151,947,000

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

(1) At least $200,000 of the general fund—state appropriation for fiscal year 2022 and at least $200,000 of the general fund—state appropriation for fiscal year 2023 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ((~~$11,002,000~~)) $11,356,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$11,211,000~~)) $11,617,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) $56,000 of the general fund—state appropriation for fiscal year ((~~2022~~)) 2023 is provided solely for a comprehensive analysis of the deep lake watershed involving land owners, ranchers, lake owners, one or more conservation districts, the department of ecology, and the department of natural resources.

(7) $2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(8) $2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(9) $45,000 of the general fund—state appropriation for fiscal year 2022 and $45,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) $300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(11) $500,000 of the general fund—state appropriation for fiscal year 2022 and $500,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for increasing dual credit options, to address issues of equity in higher education access.

(12) $110,000 of the general fund—state appropriation for fiscal year 2022 and $110,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a new summer bridge program.

(13) $27,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) $125,000 of the general fund—state appropriation for fiscal year 2022 and $125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1335 (racial restrictions/review). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(15) $121,000 of the general fund—state appropriation for fiscal year 2022 and $121,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(16) $2,262,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor of science in cybersecurity degree option through the computer science program.

(17) $548,000 of the workforce education investment account—state appropriation is provided solely to establish a professional master of science cyber operations degree option in the college of science, technology, engineering, and mathematics.

(18) $1,054,000 of the workforce education investment account—state appropriation is provided solely for the implementation of eagle care, a coordinated care network that will maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The appropriation must be used to supplement, not supplant, other funding sources for the program.

(19) $306,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(20) $68,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5764 (apprenticeships and higher ed). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(21) $14,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(22) $6,170,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to establish a bachelor of science in nursing program.

**Sec.**  2021 c 334 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2022) ((~~$59,896,000~~))

$60,211,000

General Fund—State Appropriation (FY 2023) ((~~$61,151,000~~))

$64,399,000

Central Washington University Capital Projects

Account—State Appropriation $76,000

Education Legacy Trust Account—State Appropriation $19,076,000

Workforce Education Investment Account—State

Appropriation ((~~$4,022,000~~))

$6,755,000

TOTAL APPROPRIATION ((~~$144,221,000~~))

$150,517,000

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

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ((~~$12,401,000~~)) $12,800,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$12,636,000~~)) $13,094,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) $2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) $1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) $736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) $240,000 of the general fund—state appropriation for fiscal year 2022 and $240,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for two psychologists to increase access to mental health counseling for traditionally underrepresented students.

(9) $52,000 of the general fund—state appropriation for fiscal year 2022 and $52,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) $155,000 of the general fund—state appropriation for fiscal year 2022 is provided solely to implement chapter 295, Laws of 2019 (educator workforce supply).

(11) $750,000 of the general fund—state appropriation for fiscal year 2022 and $750,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to establish a bachelor of science in computer science at the university's Des Moines center.

(12) $31,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(13) $131,000 of the general fund—state appropriation for fiscal year 2022 and $131,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) $16,000 of the general fund—state appropriation for fiscal year 2022 and $16,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5259 (law enforcement data). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(15) $1,084,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity course capacity in the computer science program and to establish a bachelor's degree in cybersecurity.

(16) $333,000 of the workforce education investment account—state appropriation is provided solely to establish a cybersecurity certificate program through the department of continuing education.

(17) $293,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(18) $880,000 of the workforce education investment account—state appropriation is provided solely for a faculty group hire with diverse experiences and backgrounds to support underrepresented students and improve student retention.

(19) $143,000 of the workforce education investment account—state appropriation is provided solely for the jump start program, an extended orientation to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(20) $325,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(21) $79,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2022) ((~~$32,450,000~~))

$32,116,000

General Fund—State Appropriation (FY 2023) ((~~$32,068,000~~))

$36,076,000

The Evergreen State College Capital Projects

Account—State Appropriation $80,000

Education Legacy Trust Account—State Appropriation $5,450,000

Workforce Education Investment Account—State

Appropriation ((~~$3,906,000~~))

$4,360,000

TOTAL APPROPRIATION ((~~$73,954,000~~))

$78,082,000

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

(1) ((~~$3,772,000~~)) $3,893,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$3,843,000~~)) $3,983,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) ((~~$3,207,000~~)) $2,760,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$2,677,000~~)) $3,395,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) $1,391,000 of the amounts in fiscal year 2022 and $1,399,000 of the amounts in fiscal year 2023 are provided for administration and core operations.

(b) $828,000 of the amounts in fiscal year 2022 and $937,000 of the amounts in fiscal year 2023 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) $60,000 of the amounts in fiscal year 2022 are provided solely to the Washington state institute for public policy for the continued work and research on behalf of the domestic violence risk assessment work group established in section 959 of this act.

(d) $25,000 of the amounts in fiscal year 2022 are provided solely to the Washington state institute for public policy for the continued work and research on behalf of the Washington state criminal sentencing task force established in section 1002 of this act.

(e)(i) ((~~$90,000~~)) $14,000 of the amounts in fiscal year 2022 and $76,000 of the amounts in fiscal year 2023 are provided solely for the Washington state institute for public policy to study net nanny and similar fictitious victim sting operations. The study must:

(A) Describe the current research on net nanny-type sting operations, including any evidence of their effectiveness in deterring or reducing crime, their costs, and the potential advantages or drawbacks of their use in crime prevention; and

(B) Compare the characteristics of individuals convicted under net nanny stings with individuals convicted of child sex offenses through other avenues.

(ii) The Washington state patrol shall provide the Washington state institute for public policy with the data necessary to conduct the analysis in (e)(i)(B) of this subsection. A net nanny sting operation is a collaborative operation that includes local, state, and federal law enforcement that targets the arrest and prosecution of individuals involved in child abuse and exploitation using the internet by using a fictious victim. By June 30, ((~~2022~~)) 2023, the institute must submit results from the study to the appropriate committees of the legislature.

(f) ((~~$70,000~~)) $124,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$130,000~~)) $76,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington state institute for public policy to study legal financial obligations as defined in RCW 9.94A.030.

(i) The study should explore the following topics:

(A) The amount of legal and financial obligations imposed over the last three years;

(B) The total amounts outstanding and the total amounts collected annually, including annual collection rates; including all restitution, costs, fees, fines, penalty assessments, and interest, disaggregated;

(C) Statutes which allow for the imposition of legal and financial obligations;

(D) The percentage of the judicial branch's budget which has been supported by legal and financial obligations since the system's inception;

(E) The programs funded by legal financial obligations; and

(F) How other states fund their court system including but not limited to whether they use legal financial obligations to provide support.

(ii) The study should recommend to the legislature potential methods and processes to delink court related funding and other county and local funding from the collection of legal financial obligations and to provide such funding through other means.

(iii) The Washington state institute for public policy may solicit input for the study from interested parties to include but not be limited to the Washington state association of counties, the Washington state association of county officials, the Washington state association of prosecuting attorneys, superior court judges, civil legal aid, civil rights attorneys, disability rights advocates, crime victim advocates, persons formerly incarcerated, advocates for persons who are currently or formerly incarcerated, academic researchers, persons with expertise analyzing data on legal financial obligations, the Washington state minority and justice commission, and the administrative office of the courts.

(iv) An initial report is due to the legislature by December 1, 2021, with a supplemental and final report due to the legislature by December 1, 2022.

(g) ((~~$75,000~~)) $7,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $68,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the institute to review available research literature to investigate and describe any relationship between early substance abuse of cannabis, opioids, or cocaine and mental health disorders in young adults; and any relationship between nutrition and mental health disorders in young adults. The institute shall report its findings to the legislature no later than ((~~June 30~~)) December 1, 2022.

(h)(i) ((~~$175,000~~)) $102,000 of the amounts in fiscal year 2022 and $73,000 of the amounts in fiscal year 2023 are provided solely for the Washington state institute for public policy to partner with a context expert to conduct a wilderness therapy research review. The University of Washington evidence-based practice institute and Washington State University impact center must assist the institute in identifying a content expert. For the review, the institute must:

(A) Identify wilderness therapy program models related to behavioral health which have a treatment approach which is well defined or definable and have a strong evidence base to be added to reporting guides for being identified as an evidence-based practice for mental health, including identification of target populations for these programs;

(B) Identify wilderness/adventure program models available for prevention services which are cost beneficial; and

(C) Assess the interest and likelihood of support for programs of this nature among relevant interest groups, such as state prevention coalitions and tribes, if such programs were listed as approved cost beneficial prevention programs by the division of behavioral health and recovery and the Washington state health care authority.

(ii) The institute must submit to the appropriate committees of the legislature a report on (h)(i)(A) and (B) of this subsection by ((~~December 31, 2021~~)) June 30, 2022, and a report on (h)(i)(C) of this subsection by ((~~June 30, 2022~~)) December 1, 2022.

(i) ((~~$272,000~~)) $15,000 of the amounts in fiscal year 2022 and ((~~$98,000~~)) $286,000 of the amounts in fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5304 (reentry services/state and local institutions). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection (4)(i) shall lapse.~~))

(j) ((~~$71,000~~)) $48,000 of the amounts in fiscal year 2022 and ((~~$66,000~~)) $89,000 of the amounts in fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5194 (equity and access in higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection (4)(j) shall lapse.~~))

(k)(i) ((~~$150,000~~)) $75,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $75,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington state institute for public policy to conduct a cost-benefit analysis for an exclusive or partial American steel requirement for future contracts and subcontracts authorized in the capital budget. The cost-benefit analysis must, to the extent feasible:

(A) Compare existing types and uses of steel to America made steel alternatives, including evaluation of quality;

(B) Examine benefits to Washington workers and the Washington economy;

(C) Examine lifecycle and embodied carbon greenhouse gas emissions;

(D) Identify requirements for purchasing American steel that minimize costs and maximize benefits; and

(E) Evaluate American steel requirements or preferences in other states.

(ii) The institute may solicit input for the analysis from representatives of interested parties to include, but not be limited to, the construction and manufacturing sectors, organized labor in the construction and manufacturing sectors, cities, counties, American steel manufacturing companies, environmental advocacy organizations, and appropriate state agencies.

(iii) The institute must submit a final report to the appropriate committees of the legislature by December 1, ((~~2021~~)) 2022.

(l) $47,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Second Substitute House Bill No. 1044 (prison to postsecondary ed.). ((~~If the bill is not enacted by June 30, 2021, the amount provided in this subsection (4)(l) shall lapse.~~))

(m) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2021-23 work plan as necessary to efficiently manage workload.

(n) $71,000 of the amounts in fiscal year 2022 and $91,000 of the amounts in fiscal year 2023 are provided solely for implementation of chapter 314, Laws of 2021 (Engrossed Second Substitute Senate Bill No. 5141) (environmental health and disparities map).

(o)(i) $62,000 of the amounts in fiscal year 2023 are provided solely for the Washington state institute for public policy to conduct a comprehensive study to assess the specific needs of farmworkers in the state to help policymakers determine whether those needs are being met by state administered programs, policies, and statutes. The institute must consult with farmworker advocacy organizations, state agencies administering programs and policies impacting farmworkers, and nonprofit organizations that work directly with farmworkers.

(ii) As part of its information gathering, the institute must hear from farmworkers, either directly or through the nonprofit organizations, regarding farmworkers' experiences and working conditions. These personal, real-life experiences from farmworkers must be based on informal interviews or surveys conducted by Latino nonprofit organizations that have well-established connections and relationships with farmworkers.

(iii) The study must focus on needs related to health and safety in the workplace, payment of wages, and preventing harassment and discrimination of, and retaliation against, farmworkers for asserting their rights regarding health and safety standards, wage and hour laws, and access to services.

(iv) The study must include:

(A) An examination of how the relevant state agencies coordinate with each other and federal agencies in administrating and enforcing the various laws, policies, and programs, and of the agencies' education and outreach to farmworkers regarding farmworkers' rights and protections;

(B) A review of available data from, and research of, programs that are intended to increase health and safety outcomes for farmworkers and that are intended to provide farmworkers access to services and benefits; and

(C) Options on ways to improve agency coordination and the effectiveness of reviewed programs.

(v) The legislature expects the institute to submit a preliminary report to the appropriate committees of the legislature by December 1, 2023, and a final report by June 30, 2025.

(p) $116,000 of the amounts in fiscal year 2023 is provided solely for implementation of Substitute Senate Bill No. 5783 (underground economy). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(5) $2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) $670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(7) $600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and The Evergreen first-year experience.

(8) $213,000 of the general fund—state appropriation for fiscal year 2022 and $213,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for additional faculty to support Native American and indigenous programs.

(9) $85,000 of the general fund—state appropriation for fiscal year 2022 and $85,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to the native pathways program for an assistant director.

(10) $110,000 of the general fund—state appropriation for fiscal year 2022 and $110,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to establish a new tribal liaison position.

(11) $39,000 of the general fund—state appropriation for fiscal year 2022 and $39,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(12) $7,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(13) $236,000 of the general fund—state appropriation for fiscal year 2022 and $220,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) $454,000 of the workforce education investment account—state appropriation is provided solely for an interdisciplinary cybersecurity certificate.

(15) $25,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the college to develop a plan to implement new certificate programs for the school of professional studies. By November 15, 2022, the college must submit the plan to the fiscal committees of the legislature and the office of financial management for the purpose of evaluating the plan for the 2023-2025 biennial budget.

(16) $120,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for instructional design for online teaching.

(17) $142,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to address student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student mental health and wellness.

(18) $320,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for supplemental in-person laboratory, art, and media lab experiences.

(19) $600,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(20) $158,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(21) $150,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(22) $100,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of chapter 329, Laws of 2021 (Substitute House Bill No. 1223) (custodial interrogations).

**Sec.**  2021 c 334 s 611 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2022) ((~~$83,910,000~~))

$84,400,000

General Fund—State Appropriation (FY 2023) ((~~$85,554,000~~))

$91,737,000

Western Washington University Capital Projects

Account—State Appropriation $1,424,000

Education Legacy Trust Account—State Appropriation $13,831,000

Workforce Education Investment Account—State

Appropriation ((~~$6,698,000~~))

$9,706,000

TOTAL APPROPRIATION ((~~$191,417,000~~))

$201,098,000

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

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ((~~$17,116,000~~)) $17,667,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$17,441,000~~)) $18,073,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to recruit and retain high quality and diverse graduate students.

(5) $494,000 of the general fund—state appropriation for fiscal year 2022 and $548,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(6) $700,000 of the general fund—state appropriation for fiscal year 2022 and $700,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(7) $1,306,000 of the general fund—state appropriation for fiscal year 2022 and $1,306,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(8) $886,000 of the general fund—state appropriation for fiscal year 2022 and $886,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(9) $90,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the university to assess the feasibility and benefits of expanding outdoor residential school programs to equitably serve either all fifth and sixth grade students, or only fifth or only sixth grade students statewide. The study shall explore the equity concerns exacerbated by the COVID-19 pandemic in the areas of outdoor recreation and outdoor learning experiences, with a focus on using physical activity and exposure to natural settings as a strategy for improving health disparities and accelerating learning for historically underserved populations. The study must also consider programs and facilities at outdoor residential schools, youth camps, and state parks and assess the impact of COVID-19 on these institutions, and recommend strategies to preserve and expand capacity for outdoor school. The university shall submit a report to the office of the governor, the office of the superintendent of public instruction, and the education committees of the legislature summarizing the assessment and making recommendations no later than September 30, 2021.

(10) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(11) $2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(12) $3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(13) $1,016,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(14) $48,000 of the general fund—state appropriation for fiscal year 2022 and $48,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(15) $530,000 of the general fund—state appropriation for fiscal year 2022 and $530,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the creation and implementation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(16) $40,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for implementation of Engrossed Substitute House Bill No. 1273 (menstrual products/schools). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(17) $353,000 of the general fund—state appropriation for fiscal year 2022 and $153,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5227 (diversity, etc./higher education). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(18) $5,000 of the general fund—state appropriation for fiscal year 2022 and $2,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5259 (law enforcement data). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(19) $769,000 of the workforce education investment account—state appropriation is provided solely to upgrade cyber range Poulsbo equipment and for technical support.

(20) $439,000 of the workforce education investment account—state appropriation is provided solely to expand the current cybersecurity certificate program.

(21) $1,800,000 of the workforce education investment account—state appropriation is provided solely for student support services on the Bellingham and western on the peninsula campuses for outreach and financial aid support, retention initiatives, mental health support, and initiatives that address learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(22) $461,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to establish a master of science in nursing program.

(23) $433,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the registered nurse to bachelor of science in nursing program to increase enrollments and align program tuition rates with other state supported undergraduate degrees.

(24) $966,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for institution compensation costs in recognition that these costs exceed estimated increases in undergraduate operating fee revenue.

(25) $87,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Senate Bill No. 5534 (verifiable credentials). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2022) ((~~$7,667,000~~))

$7,673,000

General Fund—State Appropriation (FY 2023) ((~~$7,552,000~~))

$12,750,000

General Fund—Federal Appropriation ((~~$4,928,000~~))

$4,944,000

Workforce Education Investment Account—State

Appropriation ((~~$615,000~~))

$5,230,000

TOTAL APPROPRIATION ((~~$20,762,000~~))

$30,597,000

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

(1) $126,000 of the general fund—state appropriation for fiscal year 2022 and $126,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the consumer protection unit.

(2) $500,000 of the workforce education investment account—state appropriation is provided solely to implement a marketing and communications agenda as required in RCW 28C.30.040(1)(c).

(3) $115,000 of the workforce education investment account—state appropriation is provided solely for the Washington student loan refinancing program as provided in chapter 28B.94 RCW.

(4) $575,000 of the general fund—state appropriation for fiscal year 2022 and $575,000 of the general fund—state appropriation for fiscal year 2023 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(6) $25,000 of the general fund—state appropriation for fiscal year 2022 is provided solely for the Washington student achievement council to convene and coordinate a task force to propose strategies to eliminate financial and nonfinancial barriers to low-income students participating in running start, college in the high school, advanced placement, international baccalaureate, Cambridge, and career and technical education dual credit programs. The task force shall submit a report to the appropriate committees of the legislature by December 1, 2021. The report must include:

(a) Strategies to address the following financial and nonfinancial barriers to students:

(i) Per credit tuition fees and any other fees charged for college in the high school and career and technical education dual credit courses;

(ii) Books, fees, and any other direct costs charged to running start students when enrolling in college courses; and

(iii) Exam fees and other charges to students enrolling in exam-based dual credit courses;

(b) Recommendations on student supports to close equity gaps in dual credit access, participation, and success;

(c) Recommendations to improve and increase communication with students and families regarding the awareness, access, and completion of dual credit;

(d) Expanding access to dual credit opportunities for students in career and technical education pathways; and

(e) Running start data for fiscal year 2019, fiscal year 2020, and fiscal year 2021 for each community and technical college as described in section 605(29) of this act.

(7) $29,000 of the general fund—state appropriation for fiscal year 2022 and $29,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Second Substitute House Bill No. 1044 (prison to postsecondary ed.). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(8) $16,000 of the general fund—state appropriation for fiscal year 2022 and $16,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute Senate Bill No. 5249 (mastery-based learning). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(9) $1,000,000 of the workforce education investment account—state appropriation is provided solely for career launch grants for the public four-year institutions.

(10) $3,600,000 of the workforce education investment account—state appropriation is provided solely for grants to purchase or upgrade simulation laboratory equipment.

(11) $250,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the student achievement council to convene and coordinate the development of education and training programs for employees of the department of corrections to be provided through a contract with The Evergreen State College. Education and training programs must be designed collaboratively to best meet the needs of the department of corrections.

(12) $850,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for administrative support services for recipients of the Washington college grant in state registered apprenticeship programs.

(13) $492,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to expand the homeless student assistance pilot program by four additional public and private four-year institutions of higher education. The institutions participating in the pilot program are subject to the same requirements as in RCW 28B.50.916.

(14) $10,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the council to submit a progress report on the new or expanded cybersecurity academic programs that receive funding in sections 603 through 609 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in sections 601(5) and 603(38) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2023, and a final report is expected by December 1, 2024.

(15) $2,800,000 of the general fund—state appropriation for fiscal year 2023 is provided solely to a nonprofit organization located in King county to expand college services to support underserved students impacted by the pandemic and improve college retention and completion rates.

(16)(a) $80,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The legislature expects the council, in collaboration with the council of presidents and the health benefit exchange, to report to the appropriate committees of the legislature information about barriers students, including those enrolled in state registered apprenticeship programs, encountered to accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(17) $25,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington student achievement council to convene stakeholders from institutions of higher education, students, and community-based organizations to develop recommendations regarding residency statutes with the goal of ensuring consistent application of residency statutes and clarifying pathways to being a Washington resident student with a focus on ensuring equity to accessing student residency. By December 1, 2022, the council must submit a report with recommendations to the appropriate committees of the legislature pursuant to RCW 43.01.036.

(18) $275,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Engrossed Second Substitute Senate Bill No. 5764 (apprenticeships and higher ed). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

(19) $137,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5847 (public employee PLSF info). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(20) $45,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5942 (uniform college athlete act). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

(21) If Second Substitute Senate Bill No. 5789 (innovation challenge program) is enacted by June 30, 2022, community-based organizations that receive state funding under subsection (15) of this section and section 603(44) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

**Sec.**  2021 c 334 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2022) ((~~$274,215,000~~))

$274,275,000

General Fund—State Appropriation (FY 2023) ((~~$270,597,000~~))

$279,545,000

General Fund—Federal Appropriation ((~~$14,061,000~~))

$14,099,000

General Fund—Private/Local Appropriation $300,000

Education Legacy Trust Account—State Appropriation $85,488,000

Washington Opportunity Pathways Account—State

Appropriation ((~~$164,598,000~~))

$163,786,000

Aerospace Training Student Loan Account—State

Appropriation ((~~$216,000~~))

$217,000

Workforce Education Investment Account—State

Appropriation ((~~$299,870,000~~))

$214,179,000

Health Professionals Loan Repayment and Scholarship

Program Account—State Appropriation $1,720,000

TOTAL APPROPRIATION ((~~$1,111,065,000~~))

$1,033,609,000

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

(1) $7,834,000 of the general fund—state appropriation for fiscal year 2022 and $7,835,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) $236,416,000 of the general fund—state appropriation for fiscal year 2022, $236,416,000 of the general fund—state appropriation for fiscal year 2023, ((~~$297,865,000~~)) $212,174,000 of the workforce education investment account—state appropriation, $69,639,000 of the education legacy trust fund—state appropriation, and $147,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2021-2023 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) $1,165,000 of the general fund—state appropriation for fiscal year 2022, $1,165,000 of the general fund—state appropriation for fiscal year 2023, $15,849,000 of the education legacy trust account—state appropriation, and ((~~$16,944,000~~)) $16,132,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) $6,999,000 of the general fund—state appropriation for fiscal year 2022 and $6,999,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the passport to college program. The maximum scholarship award is up to $5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of $500,000 in fiscal years 2022 and 2023 for this purpose.

(6) $2,981,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $8,551,000 of the general fund—state appropriation for fiscal year 2023 are provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(7) $3,800,000 of the general fund—state appropriation for fiscal year 2022 and $3,800,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. These amounts must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. Contracts between the office and program recipients must guarantee at least three years of conditional loan repayments. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients. It is the intent of the legislature to provide funding to maintain the current number and amount of awards for the program in the 2023-2025 fiscal biennium on the basis of these contractual obligations.

(8) $1,000,000 of the general fund—state appropriation for fiscal year 2022 and $1,000,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for behavioral health loan repayment program grants, pursuant to chapter 302, Laws of 2019 (2SHB 1668) (Washington health corps).

(9) $4,125,000 of the general fund—state appropriation for fiscal year 2022 and $4,125,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. The amount provided in this subsection is provided solely to increase loans within the behavioral health program.

(10) $2,000,000 of the workforce education investment account—state appropriation is provided solely for the future teachers conditional scholarship and loan repayment program established in chapter 28B.102 RCW.

(11) $2,000,000 of the general fund—federal appropriation (ARPA) is provided solely for ARPA anticipated state grants for the national health service corps.

(12) ((~~$1,279,000~~)) $1,338,000 of the general fund—state appropriation for fiscal year 2022 and ((~~$1,138,000~~)) $1,313,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the Washington award for vocational excellence.

(13) $258,000 of the general fund—state appropriation for fiscal year 2022 and $258,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute House Bill No. 1166 (college students pilot). ((~~If the bill is not enacted by June 30, 2021, the amounts provided in this subsection shall lapse.~~))

(14) $500,000 of the general fund—state appropriation for fiscal year 2022 ((~~is~~)) and $206,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for a state match associated with the rural jobs program. The legislature will evaluate appropriations in future biennia to the rural jobs program based on the extent that additional private contributions are made.

**Sec.**  2021 c 334 s 614 (uncodified) is amended to read as follows:

**FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund—State Appropriation (FY 2022) ((~~$2,715,000~~))

$3,018,000

General Fund—State Appropriation (FY 2023) ((~~$2,436,000~~))

$4,953,000

General Fund—Federal Appropriation ((~~$55,483,000~~))

$55,612,000

General Fund—Private/Local Appropriation $212,000

Workforce Education Investment Account—State

Appropriation ((~~$150,000~~))

$300,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $250,000

TOTAL APPROPRIATION ((~~$61,246,000~~))

$64,345,000

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

(1) $240,000 of the general fund—state appropriation for fiscal year 2022 and $240,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) ((~~$150,000~~)) $300,000 of the workforce education investment account—state appropriation is provided solely for staffing costs to support the workforce education investment accountability and oversight board established in RCW 28C.18.200.

(3) $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the board to continue work under a new behavioral health workforce advisory committee, which shall monitor and report on the progress of recommendations from the board's previous behavioral health workforce assessments, and continue to develop policy and practice recommendations on emerging issues in the behavioral health workforce. The board must convene and staff the committee. The committee must provide a report and relevant recommendations to the appropriate committees of the legislature and the office of the governor under RCW 43.01.036 by December 1, 2021, and December 1, 2022.

(4) $250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to implement an interprofessional curriculum to educate health care providers and workforce on opioid misuse and addiction.

(5) $225,000 of the general fund—state appropriation for fiscal year 2022 and $225,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the board to collaborate and assist in the report required by the new behavioral health advisory committee established in subsection (3) of this section. The report shall contain an analysis of behavioral health workforce shortages and challenges, data to inform systems change, and relevant policy recommendations and actions informed by the employer demand projection and talent development pipeline analyses to the appropriate committees of the legislature and the office of the governor by December 1, 2021, and December 1, 2022. The board shall contract with a statewide nonprofit organization with expertise in promoting and supporting science, technology, engineering, and math education from early learning through postsecondary education to provide a regional analysis of supply pipelines to current behavioral health care opportunities, at the secondary and postsecondary levels, and will identify gaps and barriers to programs that lead to high-demand behavioral health occupations. In coordination with the board's employer demand projection analysis, the contractor will provide an analysis of the talent development pipeline to help inform the committee's work.

(6) $772,000 of the general fund—state appropriation for fiscal year 2023 is provided to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce; and manage a stakeholder process to address retention and career pathways in long-term care facilities.

(7) $1,200,000 of the general fund—state appropriation for fiscal year 2023 is provided for grants to implement long-term care licensed practical nurse registered apprenticeships at three sites, in collaboration with the nursing care quality assurance commission and the department of labor and industries.

(8) $216,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the board to collaborate with other state workforce agencies to identify a governance structure that provides strategic direction on cross-organizational information technology projects. By September 30, 2022, the board will submit a report the governor's office and appropriate legislative committees with recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services.

(9) $220,000 of the general fund—state appropriation for fiscal year 2022 and $209,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for administrative support for the Washington award for vocational excellence program.

(10) $18,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for Second Substitute Senate Bill No. 5789 (innovation challenge program). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2022) ((~~$9,224,000~~))

$9,278,000

General Fund—State Appropriation (FY 2023) ((~~$9,357,000~~))

$9,976,000

General Fund—Private/Local Appropriation $34,000

TOTAL APPROPRIATION ((~~$18,615,000~~))

$19,288,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec.**  2021 c 334 s 616 (uncodified) is amended to read as follows:

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

General Fund—State Appropriation (FY 2022) ((~~$14,767,000~~))

$15,102,000

General Fund—State Appropriation (FY 2023) ((~~$14,974,000~~))

$16,183,000

TOTAL APPROPRIATION ((~~$29,741,000~~))

$31,285,000

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

(1) Funding provided in this section is sufficient for the center to offer students ages three through twenty-one enrolled at Washington School for the Deaf the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

(2) $225,000 of the general fund—state appropriation in fiscal year 2022 and $225,000 of the general fund—state appropriation in fiscal year 2023 are provided solely for the center for deaf and hard of hearing youth to develop or expand a mentoring program for persons employed as educational interpreters in public schools. Funding provided under this section is provided solely for recruiting, hiring, and training persons to be employed by Washington sensory disability services who must provide mentoring services in different geographic regions of the state, with the dual goals of providing services, beginning with the 2021-22 school year, to any requesting school district; and assisting persons in the timely and successful achievement of performance standards for educational interpreters.

**Sec.**  2021 c 334 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2022) ((~~$2,614,000~~))

$2,678,000

General Fund—State Appropriation (FY 2023) ((~~$2,648,000~~))

$2,823,000

General Fund—Federal Appropriation ((~~$3,156,000~~))

$3,170,000

General Fund—Private/Local Appropriation ((~~$50,000~~))

$143,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation $2,000,000

TOTAL APPROPRIATION ((~~$10,468,000~~))

$10,814,000

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

(1) $80,000 of the general fund—state appropriation for fiscal year 2022 and $79,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the creative districts program.

(2) $1,000,000 of the general fund—federal appropriation (ARPA) is provided solely for grants to arts organizations for programing and general operating expenses pursuant to section 2021 of the American rescue plan act of 2021, P.L. 117-2.

(3) $1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation for fiscal year 2022 and $1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation for fiscal year 2023 are provided solely for the Washington state arts commission to stabilize, recover, and preserve the state's arts and cultural organizations in light of pandemic conditions. From these amounts, the commission may distribute relief, response, and recovery grants to arts and cultural organizations statewide, subject to appropriate agreements.

(4) $71,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for a grant to a business network in the Goldendale area to continue an arts-based revitalization and transformation project in downtown Goldendale.

**Sec.**  2021 c 334 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2022) ((~~$4,024,000~~))

$4,203,000

General Fund—State Appropriation (FY 2023) ((~~$4,035,000~~))

$4,658,000

TOTAL APPROPRIATION ((~~$8,059,000~~))

$8,861,000

The appropriations in this section are subject to the following conditions and limitations: $210,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to establish a new archive that captures the narratives and primary source materials of Jewish Washingtonians. This new archive must create the capacity to capture a 15-year backlog of narratives and materials of Jewish Washingtonians, as well as unlimited new submissions, with the future goal of making these materials available to the public and linking to existing Jewish archival collections at the University of Washington.

**Sec.**  2021 c 334 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2022) ((~~$3,305,000~~))

$3,479,000

General Fund—State Appropriation (FY 2023) ((~~$3,388,000~~))

$4,074,000

TOTAL APPROPRIATION ((~~$6,693,000~~))

$7,553,000

**PART VII**

**SPECIAL APPROPRIATIONS**

**Sec.**  2021 c 334 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2022) ((~~$9,029,000~~))

$13,893,000

General Fund—State Appropriation (FY 2023) ((~~$4,514,000~~))

$20,376,000

General Fund—Federal Appropriation ((~~$2,481,000~~))

$5,736,000

General Fund—Private/Local Appropriation ((~~$92,000~~))

$113,000

Other Appropriated Funds ((~~$15,707,000~~))

$19,647,000

TOTAL APPROPRIATION ((~~$31,823,000~~))

$59,765,000

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

(1) The appropriations in this section are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2021, dated April 22, 2021, and IT-2022, dated February 20, 2022, which ((~~is~~)) are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2021, dated April 22, 2021, and IT-2022, dated February 20, 2022, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to ((~~the office of financial management and~~)) the office of the chief information officer ((~~to receive funding from the information technology investment revolving account~~)) for certification and release of funding for each gate of the project. ((~~The~~)) When the office of the chief information officer certifies the key deliverables of the gate have been met and a current technology budget is approved, it must notify the office of financial management ((~~must notify~~)) and the fiscal committees of the legislature ((~~of the receipt of each application and~~)). The office of financial management may not approve ((~~a funding request for~~)) funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3)(a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project.

(4)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2021-2023 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions;

(iii) ((~~Discreet~~)) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5)(a) Each project must have an investment plan that includes:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;

(ii) The office of the chief information officer staff assigned to the project;

(iii) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(iv) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(v) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(vi) Financial budget coding to include at least discrete financial coding for the project.

(6) Projects with estimated costs greater than one hundred million dollars from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget and investment plan as provided in this section.

(7)(a) The office of the chief information officer shall maintain an information technology project dashboard that provides updated information each fiscal month on projects subject to this section. This includes, at least:

(i) Project changes each fiscal month;

(ii) Noting if the project has a completed market requirements document, and when it was completed;

(iii) Financial status of information technology projects under oversight;

(iv) Coordination with agencies;

(v) Monthly quality assurance reports, if applicable;

(vi) Monthly office of the chief information officer status reports;

(vii) Historical project budget and expenditures through fiscal year 2021;

(viii) Budget and expenditures each fiscal month;

(ix) Estimated annual maintenance and operations costs by fiscal year; and

(x) Posting monthly project status assessments on scope, schedule, budget, and overall by the:

(A) Office of the chief information officer;

(B) Agency project team; and

(C) Quality assurance vendor, if applicable to the project.

(b) The dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active.

(8) If the project affects more than one agency:

(a) A separate technology budget and investment plan must be prepared for each agency; and

(b) The dashboard must contain a statewide project technology budget roll up that includes each affected agency at the subproject level.

(9) For any project that exceeds two million dollars in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Quality assurance for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(c) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(d) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed; and

(e) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements.

(10) The office of the chief information officer must evaluate the project at each stage and certify whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(11) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on July 1 and December 1 each calendar year any suspension or termination of a project in the previous six month period to the legislative fiscal committees.

(12) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on July 1 and December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous six month period to the legislative fiscal committees.

(13) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(14) The following information technology projects are subject to the conditions, limitations, and review in this section:

(a) The unclaimed property system project of the department of revenue;

(b) The one Washington procurement project of the department of enterprise services;

(c) The security systems on campus project of the department of enterprise services;

(d) The network core equipment project of the consolidated technology services agency; and

(e) The data center switching equipment project of the consolidated technology services agency.

**Sec.**  2021 c 334 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund—State Appropriation (FY 2022) ((~~$1,273,008,000~~))

$1,265,240,000

General Fund—State Appropriation (FY 2023) ((~~$1,374,570,000~~))

$1,348,288,000

State Building Construction Account—State

Appropriation ((~~$12,323,000~~))

$19,323,000

Columbia River Basin Water Supply Development

Account—State Appropriation $13,000

Watershed Restoration and Enhancement Bond Account—

State Appropriation $181,000

State Taxable Building Construction Account—State

Appropriation $467,000

Debt-Limit Reimbursable Bond Retirement Account—

State Appropriation $511,000

TOTAL APPROPRIATION ((~~$2,661,073,000~~))

$2,634,023,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

**Sec.**  2021 c 334 s 704 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund—State Appropriation (FY 2022) $1,400,000

General Fund—State Appropriation (FY 2023) $1,400,000

State Building Construction Account—State

Appropriation ((~~$2,466,000~~))

$4,249,000

Columbia River Basin Water Supply Development

Account—State Appropriation $3,000

Watershed Restoration and Enhancement Bond Account—

State Appropriation $39,000

State Taxable Building Construction Account—State

Appropriation $94,000

TOTAL APPROPRIATION ((~~$5,402,000~~))

$7,185,000

**Sec.**  2021 c 334 s 705 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—EMERGENCY FUND**

General Fund—State Appropriation (FY 2022) ((~~$850,000~~))

$1,100,000

General Fund—State Appropriation (FY 2023) ((~~$850,000~~))

$1,000,000

TOTAL APPROPRIATION ((~~$1,700,000~~))

$2,100,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor's emergency fund for the critically necessary work of any agency.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2022, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(1) William J. Damson, claim number 9991006839 $14,880

(2) David Ziller, claim number 9991006721 $13,257

(3) Caleb B. Cline, claim number 9991006671 $23,367

(4) Julaine D. Pettis, claim number 9991005948 $20,000

(5) Jaydra Erchul Johnson, claim number 9991005804 $8,270

(6) Christopher Lundvall, claim number 9991007205 $45,022

(7) Carlos Cervantes, claim number 9991007388 $6,298

(8) Jarel Jones-White, claim number 9991007721 $3,665

**Sec.**  2021 c 334 s 715 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2022) ((~~$226,000~~))

$557,000

General Fund—State Appropriation (FY 2023) ((~~$226,000~~))

$557,000

TOTAL APPROPRIATION ((~~$452,000~~))

$1,114,000

The appropriations in this section are subject to the following conditions and limitations: ((~~The appropriations in this section, or so much thereof as may be necessary,~~))

(1) $226,000 of the general fund—state appropriation for fiscal year 2022 and $226,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expenditure into the county criminal justice assistance account—state. The treasurer shall make quarterly distributions from the county criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.310 for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

(2) $331,000 of the general fund—state appropriation for fiscal year 2022 and $331,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for expenditure into the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

**Sec.**  2021 c 334 s 718 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT**

General Fund—State Appropriation (FY 2022) $951,000

General Fund—State Appropriation (FY 2023) $30,683,000

TOTAL APPROPRIATION ((~~$951,000~~))

$31,634,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON INTERNET CRIMES AGAINST CHILDREN ACCOUNT**

General Fund—State Appropriation (FY 2022) $1,135,000

General Fund—State Appropriation (FY 2023) $1,135,000

TOTAL APPROPRIATION $2,270,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington internet crimes against children account created in RCW 43.101.435.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—MULTIMODAL TRANSPORTATION ACCOUNT**

General Fund—State Appropriation (FY 2022) $2,000,000,000

TOTAL APPROPRIATION $2,000,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the multimodal transportation account created in RCW 47.66.070.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—ENTERPRISE SERVICES ACCOUNT**

General Fund—State Appropriation (FY 2022) $500,000

TOTAL APPROPRIATION $500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the enterprise services account created in RCW 43.19.025 in support of the real estate services program.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE VEHICLE PARKING ACCOUNT**

General Fund—State Appropriation (FY 2022) $2,178,000

TOTAL APPROPRIATION $2,178,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the state vehicle parking account created in RCW 43.01.225 in support of the parking program within the department of enterprise services.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—LIABILITY ACCOUNT**

General Fund—State Appropriation (FY 2022) $217,000,000

TOTAL APPROPRIATION $217,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the liability account created in RCW 4.92.130 to ensure the account is not in deficit.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—JUDICIAL STABILIZATION TRUST ACCOUNT**

General Fund—State Appropriation (FY 2023) $157,500,000

TOTAL APPROPRIATION $157,500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the judicial stabilization account created in RCW 43.79.505.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—JUDICIAL INFORMATION SYSTEMS ACCOUNT**

General Fund—State Appropriation (FY 2023) $26,200,000

TOTAL APPROPRIATION $26,200,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the judicial information systems account created in RCW 2.68.020.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—FAMILY AND MEDICAL LEAVE INSURANCE ACCOUNT**

General Fund—State Appropriation (FY 2023) $350,000,000

TOTAL APPROPRIATION $350,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the family and medical leave insurance account created in RCW 50A.05.070 on June 30, 2023. The office of financial management may only expend the amount necessary to keep the family and medical leave insurance account from being in a deficit at the close of the fiscal biennium, after certification from the employment security department.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON CAREER AND COLLEGE PATHWAYS INNOVATION CHALLENGE PROGRAM ACCOUNT**

General Fund—State Appropriation (FY 2023) $6,000,000

TOTAL APPROPRIATION $6,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington career and college pathways innovation challenge program account created in RCW 28B.120.040 to implement Second Substitute Senate Bill No. 5789 (innovation challenge program). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse. General fund appropriations into the account are intended for the current and next ensuing fiscal biennium only. The student achievement council must report on the uses of the general fund moneys deposited in the account by December 1, 2022, to allow the legislature to assess the program and general fund support.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—TRIBAL GOVERNMENT ASSISTANCE**

General Fund—State Appropriation (FY 2022) $401,000

TOTAL APPROPRIATION $401,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to distribute to tribes with police officers certified through the criminal justice training commission pursuant to RCW 43.101.157 to assist with one-time costs related to law enforcement and criminal justice related legislation enacted between January 1, 2020, and June 30, 2021. Distributions shall be made according to LEAP document tribal allocations 1 dated February 20, 2022.

**Sec.**  2021 c 334 s 753 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS RELIEF FUNDS**

General Fund—Federal Appropriation $280,000,000

TOTAL APPROPRIATION $280,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire general fund—federal appropriation (CRF) is provided solely to the office of financial management for ((~~allotment~~)) allocation to state agencies for costs eligible to be paid from the coronavirus relief fund created by section 5001, the coronavirus aid, relief, and economic security act, P.L. 116-136, division A and where funding is provided elsewhere in this act for those costs using a funding source other than the coronavirus relief fund. For any agency receiving an ((~~allotment~~)) allocation under this section, the office must place an equal amount of the agency's state or other federal source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys and federal state fiscal recovery fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature monthly until all coronavirus relief fund moneys are expended or the unexpended moneys returned to the federal government, whichever is earlier.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE STATE TREASURER—COST OF SUPERVISION ACCOUNT**

Cost of Supervision Account—State Appropriation $1,449,000

TOTAL APPROPRIATION $1,449,000

The appropriation in this section is subject to the following conditions and limitations: The state treasurer shall transfer the entire balance of the cost of supervision account created in RCW 72.11.040 to the general fund upon the enactment of Substitute Senate Bill No. 5592 (cost of supervision).

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT**

General Fund—State Appropriation (FY 2022) $2,000

General Fund—State Appropriation (FY 2023) $222,000

General Fund—Federal Appropriation $69,000

General Fund—Private/Local Appropriation $9,000

Other Appropriated Funds $111,000

TOTAL APPROPRIATION $413,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92C-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICE CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $376,000

General Fund—State Appropriation (FY 2023) $511,000

General Fund—Federal Appropriation $294,000

General Fund—Private/Local Appropriation $20,000

Other Appropriated Funds $356,000

TOTAL APPROPRIATION $1,557,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92D-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF THE ATTORNEY GENERAL LEGAL SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $5,376,000

General Fund—State Appropriation (FY 2023) $9,477,000

General Fund—Federal Appropriation $3,309,000

General Fund—Private/Local Appropriation $59,000

Other Appropriated Funds $4,020,000

TOTAL APPROPRIATION $22,241,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92E-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $8,000

General Fund—State Appropriation (FY 2023) $287,000

General Fund—Federal Appropriation $253,000

Other Appropriated Funds $360,000

TOTAL APPROPRIATION $908,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearing's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92G-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $1,772,000

General Fund—State Appropriation (FY 2023) $4,965,000

General Fund—Federal Appropriation $2,200,000

General Fund—Private/Local Appropriation $211,000

Other Appropriated Funds $4,929,000

TOTAL APPROPRIATION $14,077,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the consolidated technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92J-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $32,000

General Fund—State Appropriation (FY 2023) $920,000

General Fund—Federal Appropriation $186,000

General Fund—Private/Local Appropriation $10,000

Other Appropriated Funds $488,000

TOTAL APPROPRIATION $1,636,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise service's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92K-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $89,000

General Fund—State Appropriation (FY 2023) $745,000

General Fund—Federal Appropriation $820,000

General Fund—Private/Local Appropriation $5,000

Other Appropriated Funds $450,000

TOTAL APPROPRIATION $2,109,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of financial management's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92R-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—SELF INSURANCE LIABILITY PREMIUM CENTRAL SERVICES**

General Fund—State Appropriation (FY 2022) $2,533,000

General Fund—State Appropriation (FY 2023) $2,599,000

General Fund—Federal Appropriation $1,224,000

General Fund—Private/Local Appropriation $5,000

Other Appropriated Funds $396,000

TOTAL APPROPRIATION $6,757,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the self-insurance premium liability billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92X-2022, dated February 20, 2022, and adjust appropriation schedules accordingly.

**Sec.**  2021 c 334 s 706 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—EMERGENCY ASSISTANCE FUND**

General Fund—State Appropriation (FY 2022) ((~~$2,500,000~~))

$5,000,000

General Fund—State Appropriation (FY 2023) ((~~$2,500,000~~))

$5,000,000

TOTAL APPROPRIATION ((~~$5,000,000~~))

$10,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor's emergency fund for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010(9). The office of financial management must notify the fiscal committees of the legislature of the receipt of each application or request for individual assistance from the governor's emergency fund by the governor or the adjutant general. The office of financial management may not approve, nor release, funding for 10 business days from the date of notification to the fiscal committees of the legislature.

**Sec.**  2021 c 334 s 723 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—NORTHEAST WASHINGTON WOLF-LIVESTOCK MANAGEMENT ACCOUNT**

General Fund—State Appropriation (FY 2022) $496,000

General Fund—State Appropriation (FY 2023) ((~~$456,000~~))

$546,000

TOTAL APPROPRIATION ((~~$952,000~~))

$1,042,000

The appropriations in this section are subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the northeast Washington wolf-livestock management account for the deployment of nonlethal wolf deterrence resources as provided in chapter 16.76 RCW.

**Sec.**  2021 c 334 s 724 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LONG-TERM SERVICES AND SUPPORTS ACCOUNT**

General Fund—State Appropriation (FY 2022) ((~~$19,618,000~~))

$42,104,000

TOTAL APPROPRIATION ((~~$19,618,000~~))

$42,104,000

The appropriation in this section is subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the long-term services and supports account pursuant to chapter 98, Laws of 2020 and chapter 363, Laws of 2019. This constitutes a loan from the general fund and must be repaid, with interest, to the general fund by June 30, ((~~2022~~)) 2024.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT**

General Fund—State Appropriation (FY 2023) $637,000

TOTAL APPROPRIATION $637,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state leadership board account created in Senate Bill No. 5750 (WA leadership board). If the bill is not enacted by June 30, 2022, the amounts provided in this section shall lapse.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—COMMUNITY REINVESTMENT ACCOUNT**

General Fund—State Appropriation (FY 2023) $125,000,000

TOTAL APPROPRIATION $125,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the community reinvestment account created in section 943 of this act.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—IMPAIRED DRIVING ACCOUNT**

General Fund—State Appropriation (FY 2023) $250,000

TOTAL APPROPRIATION $250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the impaired driving safety account created in RCW 46.68.260 for local government costs related to Engrossed Senate Bill No. 5054 (impaired driving). If the bill is not enacted by June 30, 2022, the amount appropriated in this section shall lapse.

**Sec.**  2021 c 334 s 748 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE HEALTH CARE AFFORDABILITY ACCOUNT**

General Fund—State Appropriation (FY 2023) ((~~$50,000,000~~))

$55,000,000

TOTAL APPROPRIATION ((~~$50,000,000~~))

$55,000,000

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

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in ((~~Engrossed Second Substitute Senate Bill No. 5377 (standardized health plans)~~)) RCW 43.71.130. ((~~If the bill is not enacted by June 30, 2021, the amounts appropriated in this section shall lapse.~~))

(2) It is the intent of the legislature to continue the policy of expending $5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(11)(a) of this act. Future expenditures into the account are contingent upon approval of the applicable waiver described in section 214(12)(b) of this act.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—SALMON RECOVERY ACCOUNT**

General Fund—State Appropriation (FY 2023) $100,000,000

TOTAL APPROPRIATION $100,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the salmon recovery account created in RCW 77.85.170 in support of riparian grants.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—STRATEGIC ENTERPRISE RESOURCE PLANNING TECHNOLOGY ACCOUNT**

General Fund—State Appropriation (FY 2023) $100,000,000

TOTAL APPROPRIATION $100,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the strategic enterprise resource planning technology account created in section 942 of this act.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—SCHOOL SEISMIC SAFETY GRANT PROGRAM ACCOUNT**

General Fund—State Appropriation (FY 2023) $400,000,000

TOTAL APPROPRIATION $400,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the school seismic safety grant program account created in Substitute Senate Bill No. 5933 (seismic capital construction). If the bill is not enacted by June 30, 2022, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSUMER PRIVACY ACCOUNT**

General Fund—State Appropriation (FY 2023) $548,000

TOTAL APPROPRIATION $548,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the consumer privacy account created in Second Substitute Senate Bill No. 5062 (data). If the bill is not enacted by June 30, 2022, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1)2021 c 334 s 730 (uncodified);

(2)2021 c 334 s 731 (uncodified);

(3)2021 c 334 s 732 (uncodified);

(4)2021 c 334 s 733 (uncodified);

(5)2021 c 334 s 734 (uncodified);

(6)2021 c 334 s 735 (uncodified);

(7)2021 c 334 s 736 (uncodified);

(8)2021 c 334 s 737 (uncodified);

(9)2021 c 334 s 749 (uncodified); and

(10)2021 c 334 s 752 (uncodified).

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **FOR THE DEPARTMENT OF AGRICULTURE—STATE AND COUNTY FAIRS**

General Fund—State Appropriation (FY 2023) $20,000,000

TOTAL APPROPRIATION $20,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department to provide grants to the Washington state fair and to county and area fairs as defined in RCW 15.76.120 (1) and (2) that agree to operate its fair in fiscal year 2023 without charging an admission fee to any member of the public. The amount of grant funds provided to each fair may not exceed the amount the admissions fees earned by the fair in fiscal year 2019 plus 20 percent.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows:**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON AUTO THEFT PREVENTION AUTHORITY ACCOUNT**

General Fund—State Appropriation (FY 2023) $3,500,000

TOTAL APPROPRIATION $3,500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington auto theft prevention authority account created in RCW 46.66.080.

**PART VIII**

**OTHER TRANSFERS AND APPROPRIATIONS**

**Sec.**  2021 c 334 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance

premium distributions ((~~$9,757,000~~))

$12,107,000

General Fund Appropriation for prosecuting attorney

distributions ((~~$9,284,000~~))

$7,975,000

General Fund Appropriation for boating safety and

education distributions ((~~$4,000,000~~))

$6,395,000

General Fund Appropriation for public utility

district excise tax distributions ((~~$66,759,000~~))

$67,206,000

Death Investigations Account Appropriation for

distribution to counties for publicly funded

autopsies $3,303,000

Aquatic Lands Enhancement Account Appropriation for

harbor improvement revenue distributions $140,000

Timber Tax Distribution Account Appropriation for

distribution to "timber" counties ((~~$73,911,000~~))

$77,324,000

County Criminal Justice Assistance Appropriation ((~~$114,428,000~~))

$118,883,000

Municipal Criminal Justice Assistance Appropriation ((~~$45,073,000~~))

$47,068,000

City-County Assistance Appropriation ((~~$39,939,000~~))

$56,205,000

Liquor Excise Tax Account Appropriation for liquor

excise tax distribution ((~~$76,474,000~~))

$87,317,000

Columbia River Water Delivery Account Appropriation

for the Confederated Tribes of the Colville

Reservation ((~~$8,612,000~~))

$8,700,000

Columbia River Water Delivery Account Appropriation

for the Spokane Tribe of Indians ((~~$5,975,000~~))

$6,110,000

Liquor Revolving Account Appropriation for liquor

profits distribution $98,876,000

General Fund Appropriation for other tax

distributions ((~~$80,000~~))

$102,000

General Fund Appropriation for Marijuana Excise Tax

distributions ((~~$40,000,000~~))

$51,456,000

General Fund Appropriation for Habitat Conservation

Program distributions $5,754,000

General Fund Appropriation for payment in lieu of

taxes to counties under Department of Fish and

Wildlife Program $4,040,000

Puget Sound Taxpayer Accountability Account

Appropriation for distribution to counties in

amounts not to exceed actual deposits into the

account and attributable to those counties'

share pursuant to RCW 43.79.520. ((~~$33,460,000~~))

$51,983,000

Manufacturing and Warehousing Job Centers Account

Appropriation for distribution to local taxing

jurisdictions to mitigate the unintended

revenue redistributions effect of sourcing law

changes pursuant to Engrossed Substitute House

Bill No. 1521 (warehousing & manufacturing

jobs). ((~~If Engrossed Substitute House~~

~~Bill No. 1521 (warehousing &~~

~~manufacturing jobs) is not enacted by~~

~~June 30, 2021, this distribution is~~

~~null and void.~~)) $12,150,000

TOTAL APPROPRIATION ((~~$652,015,000~~))

$723,094,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec.**  2021 c 334 s 802 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation ((~~$2,551,000~~))

$2,165,000

TOTAL APPROPRIATION ((~~$2,551,000~~))

$2,165,000

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

(1) The amount appropriated in this section shall be distributed quarterly during the 2021-2023 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

(2) $150,000 of the amount appropriated in this section is provided solely for local government costs related to Engrossed Senate Bill No. 5054 (impaired driving). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 803 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation ((~~$1,700,000~~))

$1,443,000

TOTAL APPROPRIATION ((~~$1,700,000~~))

$1,443,000

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

(1) The amount appropriated in this section shall be distributed quarterly during the 2021-2023 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

(2) $100,000 of the amount appropriated in this section is provided solely for local government costs related to Engrossed Senate Bill No. 5054 (impaired driving). If the bill is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

**Sec.**  2021 c 334 s 805 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Marijuana Account: For transfer to the

basic health plan trust account, the lesser of

the amount determined pursuant to RCW 69.50.540

or this amount for fiscal year 2022,

((~~$255,000,000~~)) $260,627,000 and this amount

for fiscal year 2023, ((~~$265,000,000~~))

$258,406,000 ((~~$520,000,000~~))

$519,033,000

Dedicated Marijuana Account: For transfer to the

state general fund, the lesser of the amount

determined pursuant to RCW 69.50.540 or this

amount for fiscal year 2022, ((~~$195,000,000~~))

$197,435,000 and this amount for fiscal

year 2023, ((~~$200,000,000~~)) $195,296,000 ((~~$395,000,000~~))

$392,731,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the actual amount of the annual base payment to

the tobacco settlement account for fiscal year

2022 $90,000,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the actual amount of the annual base payment to

the tobacco settlement account for fiscal year

2023 $90,000,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the actual amount of the tobacco arbitration

payment to the tobacco settlement account,

$11,000,000 for fiscal year 2022 and $8,000,000

for fiscal year 2023 $19,000,000

State Treasurer's Service Account: For transfer to

the state general fund, $5,000,000 for fiscal

year 2022 and $5,000,000 for fiscal year 2023 $10,000,000

General Fund: For transfer to the fair fund under

RCW 15.76.115, $2,750,000 for fiscal year 2022

and $2,750,000 for fiscal year 2023 $5,500,000

Financial Services Regulation Account: For transfer

to the state general fund, $3,500,000 for

fiscal year 2022 and $3,500,000 for fiscal year

2023 $7,000,000

Marine Resources Stewardship Trust Account: For

transfer to the aquatic lands enhancement

account, up to $40,000 for fiscal year 2022 $40,000

Water Pollution Control Revolving Administration

Account: For transfer to the water pollution

control revolving account, $6,000,000 for

fiscal year 2022 $6,000,000

General Fund: For transfer to the home security

fund, $4,500,000 for fiscal year 2022 and

$4,500,000 for fiscal year 2023 $9,000,000

((~~Long-Term Services and Supports Trust~~

~~Account: For transfer to the general~~

~~fund as repayment for start-up costs~~

~~for the long term services program, the~~

~~lesser of the amount determined by the~~

~~treasurer for full repayment of the~~

~~$17,040,000 transferred from the~~

~~general fund in the 2019-2021 biennium~~

~~and $19,618,000 transferred from the~~

~~general fund in fiscal year 2022, which~~

~~totals $36,658,000 transferred from~~

~~the general fund in the 2019-2021~~

~~biennium and fiscal year 2022 for~~

~~start-up costs with any related~~

~~interest, or this amount for fiscal~~

~~year 2022, $37,092,000~~ ~~$37,092,000~~))

Gambling Revolving Account: For transfer to the

state general fund as repayment of the loan

pursuant to chapter 127, Laws of 2020 (sports

wagering/compacts), the lesser of the amount

determined by the treasurer for full repayment

of the $6,000,000 transferred from the general

fund in the 2019-2021 fiscal biennium with any

related interest, ((~~or this amount for~~

~~fiscal year 2023 $6,500,000~~)) $3,000,000 for

fiscal year 2022 and $3,500,000 for fiscal year

2023 $6,500,000

School Employees' Insurance Account: For transfer to

the general fund as repayment of the remainder

of the loans for start costs for the school

employees benefit program, ((~~$16,587,000~~))

$15,615,000 for fiscal year 2022 ((~~$16,587,000~~))

$15,615,000

General Fund: For transfer to the manufacturing and

warehousing jobs centers account $6,750,000 for

fiscal year 2022 and $5,400,000 for fiscal

year 2023 pursuant to Engrossed Substitute

House Bill No. 1521 (warehousing &

manufacturing jobs). ((~~If Engrossed~~

~~Substitute House Bill No. 1521~~

~~(warehousing & manufacturing jobs) is~~

~~not enacted by June 30, 2021, this~~

~~transfer is null and void.~~)) $12,150,000

General Fund: For transfer to the Washington housing

trust fund, $10,000,000 for fiscal year 2022 $10,000,000

General Fund: For transfer to the forest resiliency

account trust fund, $6,000,000 for fiscal year

2022 $6,000,000

Streamlined Sales and Use Tax Mitigation Account:

For transfer to the general fund, $3,186,000 or

as much thereof that represents the balance in

the account for fiscal year 2022 $3,186,000

General Fund: For transfer to the wildfire response,

forest restoration, and community resilience

account, solely for the implementation of

chapter 298, Laws of 2021 (2SHB 1168)

(long-term forest health), $12,475,000 for

fiscal year 2022 and $74,632,000 for fiscal

year 2023 $87,107,000

General Fund: For transfer to the state drought

preparedness and response account, $4,500,000

for fiscal year 2022 and $6,500,000 for fiscal

year 2023 $11,000,000

General Fund: For transfer to the disaster response

account, $7,500,000 for fiscal year 2022 and

$7,109,000 for fiscal year 2023 $14,609,000

General Fund: For transfer to the aquatic invasive

species account, $2,472,000 for fiscal year

2022 and $6,096,000 for fiscal year 2023 $8,568,000

General Fund: For transfer to the fair fund created

by RCW 15.76.115, for fiscal year 2023,

pursuant to Second Substitute Senate Bill No.

5643 (youth development programs). If the bill

is not enacted by June 30, 2022, this transfer

is null and void. $500,000

General Fund: For transfer to the Washington rescue

plan transition account, $1,500,000,000 for

fiscal year 2023 $1,500,000,000

General Fund: For transfer to the recreation access

pass account, $31,000,000 for fiscal year 2023 $31,000,000

**PART IX**

**MISCELLANEOUS**

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **COLLECTIVE BARGAINING AGREEMENTS**

Subsections (2) in sections 902 through 927 and 934 through 937 of this act represent the results of the collective bargaining process from reopening the 2021-2023 contracts for the limited purpose of bargaining over compensation, and are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in Part IX of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**Sec.**  2021 c 334 s 909 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WFSE**

(1) An agreement has been reached between the governor and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include 24 furlough days for employees in positions that do not require the position to be backfilled.

(2) An agreement has been reached between the governor and the Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees who were employed continuously starting on or before July 1, 2021, through June 30, 2022.

**Sec.**  2021 c 334 s 910 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WAFWP**

(1) An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include 24 furlough days for employees in positions that do not require the position to be backfilled.

(2) An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees who were hired before July 1, 2022.

**Sec.**  2021 c 334 s 911 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17**

(1) An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include 24 furlough days for employees in positions that do not require the position to be backfilled.

(2) An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees who were employed continuously starting on or before July 1, 2021, through June 30, 2022.

**Sec.**  2021 c 334 s 912 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—SEIU HEALTHCARE 1199NW**

(1) An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include 24 furlough days for employees in positions that do not require the position to be backfilled.

(2) An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a retention bonus payable in two equal installments.

**Sec.**  2021 c 334 s 913 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

(1) An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which includes 24 furlough days for employees in positions that do not require the position to be backfilled. Funding is also provided for a 2.5 percent wage increase for fiscal year 2022 and a 2.5 percent wage increase for fiscal year 2023 for the department of corrections marine vessel operators.

(2) An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees hired before July 1, 2022.

**Sec.**  2021 c 334 s 914 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—ASSOCIATION OF WASHINGTON ASSISTANT ATTORNEYS GENERAL/WFSE**

(1) An agreement has been reached between the governor and the association of Washington assistant attorneys general/Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which includes some minor modifications but does not include wage increases. In addition, the agreement includes 24 furlough days for designated positions.

(2) An agreement has been reached between the governor and the association of Washington assistant attorneys general/Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a longevity lump sum payment.

**Sec.**  2021 c 334 s 915 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WFSE ADMINISTRATIVE LAW JUDGES**

(1) An agreement has been reached between the governor and the Washington federation of state employees administrative law judges under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. This is the first agreement since the grant of collective bargaining rights in the 2020 legislative session. Funding is provided to fund the agreement, which includes the implementation of the Washington general government standard progression salary schedule that includes periodic increments that begin July 1, 2022. In addition, the agreement includes 24 furlough days for designated positions.

(2) An agreement has been reached between the governor and the Washington federation of state employees administrative law judges under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees hired before July 1, 2022.

**Sec.**  2021 c 334 s 916 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—DFW SERGEANTS ASSOCIATION/TEAMSTERS 760**

(1) An agreement has been reached between the governor and the department of fish and wildlife sergeants association/teamsters 760 under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. This is the first stand-alone agreement for this unit since its separation from the coalition of unions under chapter 41.80 RCW provided in the 2020 legislative session. Funding is provided to fund the agreement, which does not include wage increases but does allow the agreement to be reopened to negotiate compensation for fiscal year 2023.

(2) An agreement has been reached between the governor and the department of fish and wildlife sergeants association/teamsters 760 under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for implementing a redesigned classification and compensation structure for the fish and wildlife enforcement classes and payment of educational incentives for employees who have obtained an associate degree (2 percent base pay) or bachelor's degree (4 percent base pay).

**Sec.**  2021 c 334 s 917 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—FISH AND WILDLIFE ENFORCEMENT OFFICERS GUILD**

(1) An agreement has been reached between the governor and the fish and wildlife enforcement officers guild through an interest arbitration award under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. This is the first stand-alone agreement for this unit since its separation from the coalition of unions under chapter 41.80 RCW provided in the 2020 legislative session. Funding is provided to fund the award, which does not include wage increases but does allow the agreement to be reopened to negotiate base rate of pay for fiscal year 2023. The arbitration award also includes and funding is provided for an education incentive for employees who have obtained an associate's degree (2 percent of base pay) or bachelor's degree (4 percent of base pay), increased opportunities to work on holidays and receive holiday pay, and workers compensation top-off pay equivalent to the LEOFF II supplement. Finally, funding is provided for an increase in the clothing allowance for qualifying employees by $100 per year per employee.

(2) An agreement has been reached between the governor and the fish and wildlife enforcement officers guild under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for implementing a redesigned classification and compensation structure of the fish and wildlife enforcement classes.

**Sec.**  2021 c 334 s 918 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WFSE HIGHER EDUCATION COMMUNITY COLLEGE COALITION**

(1) An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases.

(2) An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees hired before July 1, 2022.

**Sec.**  2021 c 334 s 919 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WPEA HIGHER EDUCATION COMMUNITY COLLEGE COALITION**

(1) An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases.

(2) An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees hired before July 1, 2022.

**Sec.**  2021 c 334 s 920 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

(1) An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include general wages increases but does provide the ability to request to reopen the compensation article for the purpose of bargaining base rate of pay for fiscal year 2023.

(2) An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 10 percent for fiscal year 2023.

**Sec.**  2021 c 334 s 921 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS ASSOCIATION**

(1) An agreement has been reached between the governor and the Washington state patrol lieutenants and captains association under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include general wages increases but does provide the ability to request to reopen the compensation article for the purpose of bargaining base rate of pay for fiscal year 2023.

(2) An agreement has been reached between the governor and the Washington state patrol lieutenants and captains association under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 10 percent for fiscal year 2023.

**Sec.**  2021 c 334 s 922 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WPEA**

(1) An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which includes some minor modifications but does not include wage increases. In addition, the agreement includes 24 furlough days for designated positions.

(2) An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees hired before July 1, 2022.

**Sec.**  2021 c 334 s 923 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF ENTERPRISE SERVICES**

(1) An agreement has not been reached between the governor and the international brotherhood of teamsters local 117 pursuant to chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW 41.80.010(6), funding is provided for fiscal year 2022 to fund the terms of the 2019-2021 agreement and for fiscal year 2023 to fund the terms according to law.

(2) Again, an agreement has not been reached between the governor and the international brotherhood of teamsters local 117 department of enterprise services under the provisions of chapter 41.80 RCW for fiscal year 2023. Pursuant to RCW 41.80.010(6), the employer may unilaterally implement according to law. Therefore, funding is provided for a general wage increase of 3.25 percent for fiscal year 2023 and a lump sum payment for employees hired before July 1, 2022.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF CORRECTIONS**

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 department of corrections through an interest arbitration award pursuant to chapter 41.80 RCW for the 2021-2023 fiscal biennium. The interest arbitration award included and funding is provided for a general wage increase of 4 percent, targeted wage increases, a lump sum payment for all employees, and premium pay for working on McNeil Island.

**Sec.**  2021 c 334 s 924 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 925**

(1) An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. The agreement includes and funding is provided for an extension of the 2019–2021 collective bargaining agreement. The agreement does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between the University of Washington and the service employees international union labor 925 under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3 percent for fiscal year 2023, evening shift differential, night shift differential, standby pay, and weekend pay premium for specified job classifications. In addition, the agreement includes and funding is provided for recruitment and retention increases and lump sum payments for specified job classifications.

**Sec.**  2021 c 334 s 925 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 1199 RESEARCH/HALL HEALTH**

(1) An agreement has been reached between the University of Washington and the service employees international union local 1199 research/hall health under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. The agreement includes and funding is provided for an extension of the 2019–2021 collective bargaining agreement. The agreement does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between the University of Washington and the service employees international union local 1199 research/hall health under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3 percent for fiscal year 2023 and lump sum payments for employees.

**Sec.**  2021 c 334 s 928 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—WFSE**

(1) An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. The agreement includes and funding is provided for an extension of the 2019–2021 collective bargaining agreement, and an expansion of the Harborview and University of Washington Medical Center EVS custodians weekend premium. The agreement does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3 percent for fiscal year 2023, evening shift differential, night shift differential, standby pay, and weekend pay premium, for specified job classifications.

**Sec.**  2021 c 334 s 929 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WFSE**

(1) An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include changes to compensation or benefits. In addition, the agreement does not include mandatory employee furloughs.

(2) An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023, and any lump sum payment agreed upon in the agreement between the governor and the Washington federation of state employees for general government employees.

**Sec.**  2021 c 334 s 930 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WSU POLICE GUILD BARGAINING UNIT 4**

(1) An agreement has been reached between the Washington State University and the WSU police guild bargaining unit 4 under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include changes to compensation or benefits. In addition, the agreement does not include mandatory employee furloughs.

(2) An agreement has been reached between the Washington State University and the WSU police guild bargaining unit 4 under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes and funding is provided for a general wage increase of 3.3 percent for fiscal year 2023.

**Sec.**  2021 c 334 s 932 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—CENTRAL WASHINGTON UNIVERSITY—WFSE**

(1) An agreement has been reached between Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between the Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes any general wage increase and lump sum payment agreed upon in the agreement between the governor and the Washington federation of state employees for general government employees. Therefore, the agreement includes and funding is provided for a general wage increase of 3.25 percent for fiscal year 2023, and a lump sum payment for employees who were employed continuously starting on or before July 1, 2021, through June 30, 2022.

**Sec.**  2021 c 334 s 933 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—CENTRAL WASHINGTON UNIVERSITY—PSE**

(1) An agreement has been reached between Central Washington University and the public school employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between the Central Washington University and the public school employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes any general wage increase and lump sum payment agreed upon in the agreement between the governor and the Washington federation of state employees. Therefore, funding is provided for a general wage increase of 3.25 percent for fiscal year 2023, and a lump sum payment for employees who were employed continuously starting on or before July 1, 2021, through June 30, 2022.

**Sec.**  2021 c 334 s 934 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—THE EVERGREEN STATE COLLEGE—WFSE**

(1) An agreement has been reached between The Evergreen State College and the Washington federation of state employees supervisory and nonsupervisory units under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between The Evergreen State College and the Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes any general wage increase agreed upon in the agreement between the governor and the Washington federation of state employees for general government employees. Therefore, funding is provided for a general wage increase of 3.25 percent for fiscal year 2023.

**Sec.**  2021 c 334 s 935 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WESTERN WASHINGTON UNIVERSITY—WFSE**

(1) An agreement has been reached between Western Washington University and the Washington federation of state employees bargaining units A, B, and E under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either a general wage increase or mandatory employee furloughs.

(2) An agreement has been reached between Western Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes any general wage increase and lump sum payment agreed upon in the agreement between the governor and the Washington federation of state employees for general government employees. Therefore, funding is provided for a general wage increase of 3.25 percent for fiscal year 2023, and a lump sum payment for employees who were employed continuously starting on or before July 1, 2021, through June 30, 2022.

**Sec.**  2021 c 334 s 936 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WESTERN WASHINGTON UNIVERSITY—PSE**

(1) An agreement has not been reached between Western Washington University and the public school employees bargaining units D and PT under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW 41.80.010(6), funding is provided for fiscal year 2022 to fund the terms of the 2019-2021 agreement and for fiscal year 2023 to fund the terms according to law.

(2) An agreement has been reached between Western Washington University and the public school employees bargaining units D and PT under the provisions of chapter 41.80 RCW for fiscal year 2023. The agreement includes any general wage increase and lump sum payment agreed upon in the agreement between the governor and the Washington federation of state employees for general government employees. Therefore, funding is provided for a general wage increase of 3.25 percent for fiscal year 2023, and a lump sum payment for employees who were employed continuously starting on or before July 1, 2021, through June 30, 2022.

**Sec.**  2021 c 334 s 940 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

An agreement was reached for the 2021-2023 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2021-2023 collective bargaining agreement, which maintains the provisions of the prior agreement, other than provision of gift cards through the wellness program, and are subject to the following conditions and limitations:

The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed $936 per eligible employee for fiscal year 2022. For fiscal year 2023, the monthly employer funding rate shall not exceed ((~~$1,091~~)) $1,184 per eligible employee.

The board shall collect a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment if directed by the legislature.

**Sec.**  2021 c 334 s 941 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for represented employees outside the coalition for health benefits, and are subject to the following conditions and limitations: The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed $936 per eligible employee for fiscal year 2022. For fiscal year 2023, the monthly employer funding rate may not exceed ((~~$1,091~~)) $1,184 per eligible employee.

**Sec.**  2021 c 334 s 942 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2021-2023 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2021-2023 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed $968 per eligible employee in the 2021-22 school year. For the 2022-23 school year, the monthly employer funding rate shall not exceed ((~~$1,032~~)) $1,026 per eligible employee. Employers will contribute one hundred percent of the retiree remittance defined in ((~~section 943 of this act~~)) section 931 of this act, which is included as part of the above monthly employer funding rate. These rates are sufficient to cover the cost to provide virtual access to behavioral health resources and interventions and case management.

(2) For the purposes of distributing insurance benefits, certificated staff units as determined in section 504 of this act will be multiplied by 1.02 and classified staff units as determined in section 504 of this act will be multiplied by 1.43.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment if directed by the legislature.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

**Sec.**  2021 c 334 s 943 (uncodified) is amended to read as follows:

**COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1) The employer monthly funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed $936 per eligible employee for fiscal year 2022. For fiscal year 2023, the monthly employer funding rate shall not exceed ((~~$1,091~~)) $1,184 per eligible employee. These rates assume the use of plan surplus from the 2019-2021 fiscal biennium in fiscal year 2022.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2022 and 2023, the subsidy shall be up to $183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized by the legislature in this subsection.

(3) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, $72.08 per month beginning September 1, 2021, and ((~~$80.04~~)) $74.52 beginning September 1, 2022;

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, $72.08 each month beginning September 1, 2021, and ((~~$80.04~~)) $74.52 beginning September 1, 2022, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **INITIATIVE 732 COST-OF-LIVING INCREASES**

Part 6 of this act includes funding for a cost of living adjustment for state employees pursuant to Initiative Measure No. 732 for a total increase of 4.743 percent, effective July 1, 2022.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **GENERAL WAGE INCREASES**

(1) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees and employees of institutions of higher education, who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a 3.25 percent salary increase effective July 1, 2022, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a 3.25 percent salary increase effective July 1, 2022, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries of elected officials.

**Sec.**  2021 c 334 s 945 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—WFSE LANGUAGE ACCESS PROVIDERS**

(1) An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided for an in-person interpreting rate increase of $0.12 per hour for each of fiscal year 2022 and fiscal year 2023. In addition, other terms of the agreement that are funded include a continuation of the social service mileage premium.

(2) An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for an hourly rate increase of $1.04 for fiscal year 2023.

**Sec.**  2021 c 334 s 946 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 775 HOME CARE WORKERS**

(1) An agreement has been reached between the governor and the service employees international union local 775 through an interest arbitration award under the provisions of chapter 74.39A RCW and 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided for the arbitration award that includes increases to wages and benefits and certain improvements in the second year of the agreement. Wages are increased approximately 3 percent over the biennium. Health care contributions are increased 5 percent each year of the agreement. Beginning July 1, 2022, individual providers will receive credit on the wage scale for verifiable hours worked for a related home care agency and time and one-half pay for hours worked on two holidays (Independence Day and New Year's Eve).

(2) An agreement has been reached between the governor and the service employees international union local 775 under the provisions of chapter 74.39A RCW and chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for an increase to the base rate for fiscal year 2023.

**Sec.**  2021 c 334 s 947 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 925 CHILDCARE WORKERS**

(1) An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided for an increase in the hourly rate of care provided by family, friends, and neighbor providers (FFNs) in fiscal year 2023 from $2.65 to $3.00. The agreement maintains the current subsidy rates for licensed providers for fiscal year 2022 and includes an agreement to bargain over possible adjustments to rates for fiscal year 2023. In addition, the agreement includes and funding is provided to increase the rate paid to providers who reach level 3.5 of the state's early achievers quality rating system by 2 percent, bringing the rate to 15 percent above the base subsidy rate. Lastly, the agreement includes and funding is provided to increase the nonstandard hour care rate from $80.00 to $90.00 per child per month.

(2) An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for a cost of care rate enhancement for fiscal year 2023.

**Sec.**  2021 c 334 s 948 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—ADULT FAMILY HOME COUNCIL**

(1) An agreement has been reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided for a 3 percent increase to the wages and administrative component of the base daily rate adult family home providers receive for CARE classifications A through D beginning July 1, 2021, and a 3 percent increase in E classifications beginning July 1, 2022. The agreement also includes and funds are provided for a one-time, 3 percent increase to the health care and mandatory training components of the rates beginning July 1, 2021.

(2) An agreement has been reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for fiscal year 2023. The agreement includes and funding is provided for an increase to the base rate and increase in the training contribution for fiscal year 2023.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows: **COMPENSATION—PENSION CONTRIBUTIONS**

Appropriations to state agencies include funding for an increase in pension contribution rates for several state pension systems as provided in this section.

(1) An increase of 0.14 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system. An increase of 0.27 percent for employer contributions to the teachers' retirement system is funded. These increases are provided for the purpose of a one-time, ongoing pension increase for retirees in the public employees' retirement system plan 1 and teachers' retirement system plan 1, as provided in Substitute Senate Bill No. 5676 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2022, this subsection shall lapse.

(2) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system. These increases are provided for the purpose of expanding no-cost interruptive military service credit to individuals that were issued an expeditionary medal, as provided in Senate Bill No. 5726 (military service credit). If the bill is not enacted by June 30, 2022, this subsection shall lapse.

(3) An increase of 0.10 percent is funded for state employer contributions to the public safety employees' retirement system. These increases are provided for the cost to provide an enhanced disability benefit to members of this system who experience a qualifying catastrophic disability on the job, as provided in Senate Bill No. 5748 (PSERS disability benefits). If the bill is not enacted by June 30, 2022, this subsection shall lapse.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows:

The Washington state missing and murdered indigenous women and people task force is established.

(1) The task force is composed of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The governor's office of Indian affairs shall appoint five representatives from federally recognized Indian tribes in Washington state.

(d) The president of the senate and the speaker of the house of representatives jointly shall appoint the following:

(i) One member representing the Seattle Indian health board;

(ii) One member representing the NATIVE project;

(iii) One member representing Northwest Portland area Indian health board;

(iv) One member representing the American Indian health commission;

(v) Two indigenous women or family members of indigenous women that have experienced gender-based violence;

(vi) One member representing the governor's office of Indian affairs;

(vii) The chief of the Washington state patrol or his or her representative;

(viii) One member representing the Washington state office of the attorney general;

(ix) One member representing the Washington association of sheriffs and police chiefs;

(x) One member representing the Washington state association of counties;

(xi) One member representing the association of Washington cities;

(xii) One member representing the Washington association of prosecuting attorneys; and

(xiii) One representative of the Washington association of criminal defense lawyers.

(e) Where feasible, the task force may invite and consult with:

(i) An agent representing the federal bureau of investigation;

(ii) An agent representing the office of the United States attorneys;

(iii) Federally recognized tribes located in a state adjacent to Washington state; and

(iv) Any experts or professionals involved and having expertise in the topic of missing and murdered indigenous women and people.

(2) The legislative members shall convene the initial meeting of the task force no later than the end of 2021 and thereafter convene:

(a) A minimum of two subsequent meetings annually. The membership shall select the task force's cochairs, which must include one legislator and one nonlegislative member; and

(b) One summit annually with the state agencies involved with the task force under subsection (1) of this section, federally recognized Indian tribes in Washington state, federally recognized tribes located in a state adjacent to Washington state, and urban Indian organizations.

(3) The task force shall review the laws and policies relating to missing and murdered American Indian and Alaska Native people. The task force shall review current policies and develop recommendations for the purpose of:

(a) Assessing systemic causes behind gender-based violence including patterns and underlying historical, social and economic, institutional, and cultural factors which may contribute to disproportionately high levels of gender-based violence that occur against American Indian and Alaska Native people and ways to improve cross-border coordination between law enforcement and federally recognized tribes that share a state border with Washington state;

(b) Assessing data tracking and reporting practices relating to gender-based violence against American Indian and Alaska Native people in Washington state;

(c) Making recommendations and best practices for improving:

(i) The collection and reporting of data by tribal, local, and state law enforcement agencies to more effectively understand and address issues of gender-based violence facing American Indian and Alaska Native people; and

(ii) Jurisdictional and data sharing issues on tribal reservation land and urban areas that impact gender-based violence against American Indian and Alaska Native people;

(d) Reviewing prosecutorial trends and practices relating to crimes of gender-based violence against American Indian and Alaska Native people in Washington state;

(e) Identifying barriers to providing more state resources in tracking gender-based violence against American Indian and Alaska Native people and reducing the incidences of gender-based violence;

(f) Assessing and identifying state resources to support programs and services for survivors, families of survivors, and tribal and urban Indian service providers working with American Indian and Alaska Native people that have experienced gender-based violence; and

(g) Identifying and making recommendations for increasing state resources for trainings on culturally attuned best practices for working with American Indian and Alaska Native communities for tribal, local, and state law enforcement personnel in Washington state.

(4) The task force, with the assistance of the Washington state office of the attorney general, must consult with federally recognized tribes in Washington state and in states bordering Washington state, and engage with urban Indian organizations to submit a status report including any initial findings, recommendations, and progress updates to the governor and the appropriate committees of the legislature by August 1, 2022, and a final report by June 1, 2023.

(5)(a) The office of the attorney general administers and provides staff support to the task force, organizes the summit, and oversees the development of the two task force reports. The office of the attorney general may contract for the summit.

(b) The Washington state office of the attorney general may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, and other services to the task force for the purposes provided in subsection (3) of this section.

(c) The Washington state office of the attorney general may share and exchange information received or created on behalf of the task force with other states, federally recognized Indian tribes, urban Indian organizations, and other national groups working on missing and murdered indigenous women and people issues.

(6) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) To ensure that the task force has diverse and inclusive representation of those affected by its work, task force members whose participation in the task force may be hampered by financial hardship may apply for a stipend in an amount not to exceed $100 for each day during which the member attends an official meeting of the task force or performs statutorily prescribed duties approved by the office of the attorney general. A person shall not receive compensation for a day of service under this section if the person:

(a) Occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and

(b) Receives any compensation from such government for working that day. The office of the attorney general, by staffing the task force, is authorized to assess eligibility for the stipend as limited by available financial resources.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows:

(1)(a) A joint select legislative task force on the future of the Washington fish and wildlife commission is established, with members as provided in this subsection.

(i) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(iii) The governor shall appoint two members representing the governor's office.

(b) The task force shall choose its cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the task force.

(2) The task force shall study and provide recommendations on how the commission can be changed to better manage and reflect the needs of the state.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2022.

NEW SECTION. **Sec.**  A new section is added to 2021 c 334 (uncodified) to read as follows:

(1) The health care authority must establish a psilocybin services wellness and opportunity work group as provided in this section.

(2) The director of the authority, or the director's designee, must chair the work group. The authority must appoint members to the work group including but not limited to the following:

(a) The secretary of the department of health or the secretary's designee;

(b) The director of the liquor and cannabis board or the director's designee;

(c) The director of the department of agriculture or the director's designee;

(d) A military veteran, or representative of an organization that advocates on behalf of military veterans, with knowledge of psilocybin;

(e) Up to two recognized indigenous practitioners with knowledge of the use of psilocybin or other psychedelic compounds in their communities;

(f) An individual with expertise in disability rights advocacy;

(g) A member of the nursing profession with knowledge of psilocybin;

(h) A psychologist with knowledge of psilocybin;

(i) A mental health counselor, marriage and family therapist, or social worker with knowledge of psilocybin;

(j) A physician with knowledge of psilocybin;

(k) A health researcher with expertise in health equity;

(l) A representative of the cannabis industry with knowledge of regulation of cannabis businesses in Washington;

(m) An advocate from the LGBTQIA community with knowledge of the experience of behavioral health issues within that community;

(n) A member of the psychedelic medicine alliance of Washington; and

(o) Up to two members with lived experience of utilizing psilocybin.

(3) The chair must convene the first meeting of the work group no later than June 30, 2022. The work group must provide a preliminary brief report to the governor and appropriate committees of the legislature by December 1, 2022, focusing on subsection (4)(a), (b), and (c) of this section, and a final report by December 1, 2023. The work group may form subcommittees and adopt procedures necessary to facilitate its work.

(4) The duties of the work group shall include, but not be limited to, the following activities:

(a) Review the Oregon health authority's proposed rules for the regulation of psilocybin and assess the impact the adoption of substantially similar laws and rules or Senate Bill No. 5660 would have in Washington state, and identify specific areas where a different approach may be necessary or desirable;

(b) Review systems and procedures established by the liquor and cannabis board to monitor manufacturing, testing, and tracking of cannabis to determine suitability and adaptations required for use with psilocybin if Washington adopts legislation substantially similar to the Oregon psilocybin services act or Senate Bill No. 5660;

(c) Review the social opportunity program proposed in Senate Bill No. 5660 for the purpose of recommending improvements or enhancements to promote equitable access to a potential legal psilocybin industry within an operable administrative framework;

(d) Assess functional requirements of Senate Bill No. 5660 that would exceed the expertise and capacity of the department of health and identify opportunities for development or collaboration with other state agencies and entities to meet the requirements; and

(e) Discuss options to integrate licensed behavioral health professionals into the practice of psilocybin therapy under the framework of Senate Bill No. 5660 where appropriate.

(5) The department of health, liquor and cannabis board, and department of agriculture must provide subject matter expertise and support to work group and subcommittee meetings. For the department of health, subject matter expertise includes knowledge and experience with rule making and the regulation of health professionals and health facilities.

(6) Meetings of the psilocybin services wellness and opportunity work group shall be open to the public.

(7) Members participating on behalf of an employer, governmental entity, or other organization are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

NEW SECTION. **Sec.**  A new section is added to chapter 43.79 RCW to read as follows:

The strategic enterprise resource planning technology account is created in the state treasury. Revenues to the account shall consist of appropriations and transfers by the legislature and all other funding directed for deposit into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account are for costs related to information technology projects. Moneys in the account may be used only for information technology projects projected to cost more than $250 million from initiation of the project through its implementation date and excludes maintenance and operations costs to be incurred after implementation.

NEW SECTION. **Sec.**  A new section is added to chapter 43.79 RCW to read as follows:

(1) The community reinvestment account is created in the state treasury. All receipts from legislative appropriations must be deposited into the account. Moneys in the account may be spent only after appropriation.

(2) Expenditures from the account may be used by the department of commerce for:

(a) Economic development, which includes addressing wealth disparities to promote asset building such as home ownership and expanding access to financial resources including, but not limited to, grants and loans for small businesses and entrepreneurs, financial literacy training, and other small business training and support activities;

(b) Civil and criminal legal assistance to provide postconviction relief and case assistance, including the expungement of criminal records and vacation of criminal convictions;

(c) Community-based violence intervention and prevention services, which may include after-school programs focused on providing education and mentorship to youths; and

(d) Reentry services to facilitate successful transitions for persons formerly incarcerated in an adult correctional facility or juvenile residential facility in Washington.

(3) The distribution of the grants under this section must be done in collaboration with the governor's office of Indian affairs and "by and for community organizations" as defined by the department of commerce and the office of equity.

**Sec.**  RCW 28C.04.525 and 1995 1st sp.s. c 7 s 2 are each amended to read as follows:

The Washington award for vocational excellence program is established. The purposes of this annual program are to:

(1) Maximize public awareness of the achievements, leadership ability, and community contributions of the students enrolled in occupational training programs in high schools, community colleges, and technical colleges;

(2) Emphasize the dignity of work in our society;

(3) Instill respect for those who become skilled in crafts and technology;

(4) Recognize the value of vocational education and its contribution to the economy of this state;

(5) Foster business, labor, and community involvement in vocational-technical training programs and in this award program; and

(6) Recognize the outstanding achievements of up to three vocational or technical students, at least two of whom should be graduating high school students, in each legislative district. For the 2021-22 school year, recognize the outstanding achievements of vocational or technical students throughout the state. Students who have completed at least one year of a vocational-technical program in a community college or public technical college may also be recognized.

**Sec.**  RCW 41.60.050 and 2021 c 334 s 967 are each amended to read as follows:

The legislature shall appropriate from the personnel service fund for the payment of administrative costs of the productivity board. However, during the 2015-2017, 2017-2019, and 2019-2021((~~, and 2021-2023~~)) fiscal biennia, the operations of the productivity board shall be suspended.

**Sec.**  RCW 43.31.605 and 2021 c 115 s 5 are each amended to read as follows:

(1)(a) Subject to the availability of funds for this purpose, the landlord mitigation program is created and administered by the department. The department shall have such rule-making authority as the department deems necessary to administer the program.

(b) The following types of claims related to landlord mitigation for renting private market rental units to low-income tenants using a housing subsidy program are eligible for reimbursement from the landlord mitigation program account:

(i) Up to one thousand dollars for improvements identified in RCW 59.18.255(1)(a). In order to be eligible for reimbursement under this subsection (1)(b)(i), the landlord must pay for the first five hundred dollars for improvements, and rent to the tenant whose housing subsidy program was conditioned on the real property passing inspection. Reimbursement under this subsection (1)(b)(i) may also include up to fourteen days of lost rental income from the date of offer of housing to the applicant whose housing subsidy program was conditioned on the real property passing inspection until move in by that applicant;

(ii) Reimbursement for damages as reflected in a judgment obtained against the tenant through either an unlawful detainer proceeding, or through a civil action in a court of competent jurisdiction after a hearing;

(iii) Reimbursement for damages established pursuant to subsection (2) of this section; and

(iv) Reimbursement for unpaid rent and unpaid utilities, provided that the landlord can evidence it to the department's satisfaction.

(c) Claims related to landlord mitigation for an unpaid judgment for rent, unpaid judgments resulting from the tenant's failure to comply with an installment payment agreement identified in RCW 59.18.610, late fees, attorneys' fees, and costs after a court order pursuant to RCW 59.18.410(3), including any unpaid portion of the judgment after the tenant defaults on the payment plan pursuant to RCW 59.18.410(3)(c), are eligible for reimbursement from the landlord mitigation program account and are exempt from any postjudgment interest required under RCW 4.56.110. Any claim for reimbursement made pursuant to RCW 59.18.410(3)(e)(ii) must be accompanied by a court order staying the writ of restitution pursuant to RCW 59.18.410(3). Any claim for reimbursement under this subsection (1)(c) is not an entitlement.

(i) The department shall provide for a form on its website for tenants and landlords to apply for reimbursement funds for the landlord pursuant to this subsection (1)(c).

(ii) The form must include: (A) Space for the landlord and tenant to provide names, mailing addresses, phone numbers, date of birth for the tenant, and any other identifying information necessary for the department to process payment; (B) the landlord's statewide vendor identification number and how to obtain one; (C) name and address to whom payment must be made; (D) the amount of the judgment with instructions to include any other supporting documentation the department may need to process payment; (E) instructions for how the tenant is to reimburse the department under (c)(iii) of this subsection; (F) a description of the consequences if the tenant does not reimburse the department as provided in this subsection (1)(c); (G) a signature line for the landlord and tenant to confirm that they have read and understood the contents of the form and program; and (H) any other information necessary for the operation of the program. If the tenant has not signed the form after the landlord has made good faith efforts to obtain the tenant's signature, the landlord may solely submit the form but must attest to the amount of money owed and sign the form under penalty of perjury.

(iii) When a landlord has been reimbursed pursuant to this subsection (1)(c), the tenant for whom payment was made shall reimburse the department by depositing the amount disbursed from the landlord mitigation program account into the court registry of the superior court in which the judgment was entered. The tenant or other interested party may seek an ex parte order of the court under the unlawful detainer action to order such funds to be disbursed by the court. Upon entry of the order, the court clerk shall disburse the funds and include a case number with any payment issued to the department. If directed by the court, a clerk shall issue any payments made by a tenant to the department without further court order.

(iv) The department may deny an application made by a tenant who has failed to reimburse the department for prior payments issued pursuant to this subsection (1)(c).

(v) With any disbursement from the account to the landlord, the department shall notify the tenant at the address provided within the application that a disbursement has been made to the landlord on the tenant's behalf and that failure to reimburse the account for the payment through the court registry may result in a denial of a future application to the account pursuant to this subsection (1)(c). The department may include any other additional information about how to reimburse the account it deems necessary to fully inform the tenant.

(vi) The department's duties with respect to obtaining reimbursement from the tenant to the account are limited to those specified within this subsection (1)(c).

(vii) If at any time funds do not exist in the landlord mitigation program account to reimburse claims submitted under this subsection (1)(c), the department must create and maintain a waitlist and distribute funds in the order the claims are received pursuant to subsection (6) of this section. Payment of any claims on the waitlist shall be made only from the landlord mitigation program account. The department shall not be civilly or criminally liable and may not have any penalty or cause of action of any nature arise against it regarding the provision or lack of provision of funds for reimbursement.

(d)(i) Claims related to landlord mitigation for:

(A) Up to $15,000 in unpaid rent that accrued between March 1, 2020, and six months following the expiration of the eviction moratorium and the tenant being low-income, limited resourced or experiencing hardship, voluntarily vacated or abandoned the tenancy; or

(B) Up to $15,000 in remaining unpaid rent if a tenant defaults on a repayment plan entered into under RCW 59.18.630 are eligible for reimbursement from the landlord mitigation program account subject to the program requirements under this section, provided the tenancy has not been terminated at the time of reimbursement.

(ii) A landlord is ineligible for reimbursement under this subsection (1)(d) where the tenant vacated the tenancy because of an unlawful detainer action under RCW 59.12.030(3).

(iii) A landlord in receipt of reimbursement from the program pursuant to this subsection (1)(d) is prohibited from:

(A) Taking legal action against the tenant for damages or any remaining unpaid rent accrued between March 1, 2020, and six months following the expiration of the eviction moratorium attributable to the same tenancy; or

(B) Pursuing collection, or authorizing another entity to pursue collection on the landlord's behalf, of a judgment against the tenant for damages or any remaining unpaid rent accrued between March 1, 2020, and six months following the expiration of the eviction moratorium attributable to the same tenancy.

(2) In order for a claim under subsection (1)(b)(iii) of this section to be eligible for reimbursement from the landlord mitigation program account, a landlord must:

(a) Have ensured that the rental property was inspected at the commencement of the tenancy by both the tenant and the landlord or landlord's agent and that a detailed written move-in property inspection report, as required in RCW 59.18.260, was prepared and signed by both the tenant and the landlord or landlord's agent;

(b) Make repairs and then apply for reimbursement to the department;

(c) Submit a claim on a form to be determined by the department, signed under penalty of perjury; and

(d) Submit to the department copies of the move-in property inspection report specified in (a) of this subsection and supporting materials including, but not limited to, before repair and after repair photographs, videos, copies of repair receipts for labor and materials, and such other documentation or information as the department may request.

(3) The department shall make reasonable efforts to review a claim within ten business days from the date it received properly submitted and complete claims to the satisfaction of the department. In reviewing a claim pursuant to subsection (1)(b) of this section, and determining eligibility for reimbursement, the department must receive documentation, acceptable to the department in its sole discretion, that the claim involves a private market rental unit rented to a low-income tenant who is using a housing subsidy program.

(4) Claims pursuant to subsection (1)(b) of this section related to a tenancy must total at least five hundred dollars in order for a claim to be eligible for reimbursement from the program. While claims or damages may exceed five thousand dollars, total reimbursement from the program may not exceed five thousand dollars per tenancy. For the 2021-2023 fiscal biennium, while claims or damages may exceed $15,000, total reimbursement from the program may not exceed $15,000 per tenancy.

(5) Damages, beyond wear and tear, that are eligible for reimbursement include, but are not limited to: Interior wall gouges and holes; damage to doors and cabinets, including hardware; carpet stains or burns; cracked tiles or hard surfaces; broken windows; damage to household fixtures such as disposal, toilet, sink, sink handle, ceiling fan, and lighting. Other property damages beyond normal wear and tear may also be eligible for reimbursement at the department's discretion.

(6) All reimbursements for eligible claims shall be made on a first-come, first-served basis, to the extent of available funds. The department shall use best efforts to notify the tenant of the amount and the reasons for any reimbursements made.

(7) The department, in its sole discretion, may inspect the property and the landlord's records related to a claim, including the use of a third-party inspector as needed to investigate fraud, to assist in making its claim review and determination of eligibility.

(8) A landlord in receipt of reimbursement from the program pursuant to subsection (1)(b) of this section is prohibited from:

(a) Taking legal action against the tenant for damages attributable to the same tenancy; or

(b) Pursuing collection, or authorizing another entity to pursue collection on the landlord's behalf, of a judgment against the tenant for damages attributable to the same tenancy.

(9) A landlord denied reimbursement under subsection (1)(b)(iii) of this section may seek to obtain a judgment from a court of competent jurisdiction and, if successful, may resubmit a claim for damages supported by the judgment, along with a certified copy of the judgment. The department may reimburse the landlord for that portion of such judgment that is based on damages reimbursable under the landlord mitigation program, subject to the limitations set forth in this section.

(10) Determinations regarding reimbursements shall be made by the department in its sole discretion.

(11) The department must establish a website that advertises the landlord mitigation program, the availability of reimbursement from the landlord mitigation program account, and maintains or links to the agency rules and policies established pursuant to this section.

(12) Neither the state, the department, or persons acting on behalf of the department, while acting within the scope of their employment or agency, is liable to any person for any loss, damage, harm, or other consequence resulting directly or indirectly from the department's administration of the landlord mitigation program or determinations under this section.

(13)(a) A report to the appropriate committees of the legislature on the effectiveness of the program and recommended modifications shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2021. In preparing the report, the department shall convene and solicit input from a group of stakeholders to include representatives of large multifamily housing property owners or managers, small rental housing owners in both rural and urban markets, a representative of tenant advocates, and a representative of the housing authorities.

(b) The report shall include discussion of the effectiveness of the program as well as the department's recommendations to improve the program, and shall include the following:

(i) The number of total claims and total amount reimbursed to landlords by the fund;

(ii) Any indices of fraud identified by the department;

(iii) Any reports by the department regarding inspections authorized by and conducted on behalf of the department;

(iv) An outline of the process to obtain reimbursement for improvements and for damages from the fund;

(v) An outline of the process to obtain reimbursement for lost rent due to the rental inspection and tenant screening process, together with the total amount reimbursed for such damages;

(vi) An evaluation of the feasibility for expanding the use of the mitigation fund to provide up to ninety-day no interest loans to landlords who have not received timely rental payments from a housing authority that is administering section 8 rental assistance;

(vii) Any other modifications and recommendations made by stakeholders to improve the effectiveness and applicability of the program.

(14) As used in this section:

(a) "Housing subsidy program" means a housing voucher as established under 42 U.S.C. Sec. 1437 as of January 1, 2018, or other housing subsidy program including, but not limited to, valid short-term or long-term federal, state, or local government, private nonprofit, or other assistance program in which the tenant's rent is paid either partially by the program and partially by the tenant, or completely by the program directly to the landlord;

(b) "Low-income" means income that does not exceed eighty percent of the median income for the standard metropolitan statistical area in which the private market rental unit is located; and

(c) "Private market rental unit" means any unit available for rent that is owned by an individual, corporation, limited liability company, nonprofit housing provider, or other entity structure, but does not include housing acquired, or constructed by a public housing agency under 42 U.S.C. Sec. 1437 as it existed on January 1, 2018.

**Sec.**  RCW 43.41.450 and 2017 3rd sp.s. c 1 s 968 are each amended to read as follows:

The office of financial management central service account is created in the state treasury. The account is to be used by the office as a revolving fund for the payment of salaries, wages, and other costs required for the operation and maintenance of statewide budgeting, accounting, forecasting, and functions and activities in the office. All receipts from agency fees and charges for services collected from public agencies must be deposited into the account. The director shall fix the terms and charges to agencies based on each agency's share of the office statewide cost allocation plan for federal funds. Moneys in the account may be spent only after appropriation. During the 2017-2019 and 2021-2023 fiscal ((~~biennium~~)) biennia, the account may be used as a revolving fund for the payment of salaries, wages, and other costs related to policy activities in the office. The legislature intends to continue the use of the revolving fund for policy activities during the 2019-2021 biennium.

**Sec.**  RCW 43.43.837 and 2021 c 203 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, in order to determine the character, competence, and suitability of any applicant or service provider to have unsupervised access, the secretary of the department of social and health services and the secretary of the department of children, youth, and families may require a fingerprint-based background check through both the Washington state patrol and the federal bureau of investigation at any time, but shall require a fingerprint-based background check when the applicant or service provider has resided in the state less than three consecutive years before application, and:

(a) Is an applicant or service provider providing services to children or people with developmental disabilities under RCW 74.15.030;

(b) Is an individual sixteen years of age or older who: (i) Is not under the placement and care authority of the department of children, youth, and families; and (ii) resides in an applicant or service provider's home, facility, entity, agency, or business or who is authorized by the department of children, youth, and families to provide services to children under RCW 74.15.030;

(c) Is an individual who is authorized by the department of social and health services to provide services to people with developmental disabilities under RCW 74.15.030; or

(d) Is an applicant or service provider providing in-home services funded by:

(i) Medicaid personal care under RCW 74.09.520;

(ii) Community options program entry system waiver services under RCW 74.39A.030;

(iii) Chore services under RCW 74.39A.110; or

(iv) Other home and community long‑term care programs, established pursuant to chapters 74.39 and 74.39A RCW, administered by the department of social and health services.

(2) Long-term care workers, as defined in RCW 74.39A.009, who are hired after January 7, 2012, are subject to background checks under RCW 74.39A.056.

(3) To satisfy the shared background check requirements provided for in RCW 43.216.270 and 43.20A.710, the department of children, youth, and families and the department of social and health services shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person.

(4) The secretary of the department of children, youth, and families shall require a fingerprint‑based background check through the Washington state patrol identification and criminal history section and the federal bureau of investigation when the department seeks to approve an applicant or service provider for a foster or adoptive placement of children in accordance with federal and state law. Fees charged by the Washington state patrol and the federal bureau of investigation for fingerprint-based background checks shall be paid by the department of children, youth, and families for applicant and service providers providing foster care as required in RCW 74.15.030.

(5) Any secure facility operated by the department of social and health services or the department of children, youth, and families under chapter 71.09 RCW shall require applicants and service providers to undergo a fingerprint-based background check through the Washington state patrol identification and criminal history section and the federal bureau of investigation.

(6) Service providers and service provider applicants, except for those long-term care workers exempted in subsection (2) of this section, who are required to complete a fingerprint-based background check may be hired for a one hundred twenty-day provisional period as allowed under law or program rules when:

(a) A fingerprint-based background check is pending; and

(b) The applicant or service provider is not disqualified based on the immediate result of the background check.

(7) Fees charged by the Washington state patrol and the federal bureau of investigation for fingerprint-based background checks shall be paid by the applicable department for applicants or service providers providing:

(a) Services to people with a developmental disability under RCW 74.15.030;

(b) In-home services funded by medicaid personal care under RCW 74.09.520;

(c) Community options program entry system waiver services under RCW 74.39A.030;

(d) Chore services under RCW 74.39A.110;

(e) Services under other home and community long‑term care programs, established pursuant to chapters 74.39 and 74.39A RCW, administered by the department of social and health services or the department of children, youth, and families; ((~~and~~))

(f) Services in, or to residents of, a secure facility under RCW 71.09.115; and

(g) For fiscal year 2023, applicants for child care and early learning services to children under RCW 43.216.270.

(8) Service providers licensed under RCW 74.15.030 must pay fees charged by the Washington state patrol and the federal bureau of investigation for conducting fingerprint-based background checks.

(9) Department of children, youth, and families service providers licensed under RCW 74.15.030 may not pass on the cost of the background check fees to their applicants unless the individual is determined to be disqualified due to the background information.

(10) The department of social and health services and the department of children, youth, and families shall develop rules identifying the financial responsibility of service providers, applicants, and the department for paying the fees charged by law enforcement to roll, print, or scan fingerprints‑based for the purpose of a Washington state patrol or federal bureau of investigation fingerprint‑based background check.

(11) For purposes of this section, unless the context plainly indicates otherwise:

(a) "Applicant" means a current or prospective department of social and health services, department of children, youth, and families, or service provider employee, volunteer, student, intern, researcher, contractor, or any other individual who will or may have unsupervised access because of the nature of the work or services he or she provides. "Applicant" includes but is not limited to any individual who will or may have unsupervised access and is:

(i) Applying for a license or certification from the department of social and health services or the department of children, youth, and families;

(ii) Seeking a contract with the department of social and health services, the department of children, youth, and families, or a service provider;

(iii) Applying for employment, promotion, reallocation, or transfer;

(iv) An individual that a department of social and health services or department of children, youth, and families client or guardian of a department of social and health services or department of children, youth, and families client chooses to hire or engage to provide services to himself or herself or another vulnerable adult, juvenile, or child and who might be eligible to receive payment from the department of social and health services or the department of children, youth, and families for services rendered; or

(v) A department of social and health services or department of children, youth, and families applicant who will or may work in a department-covered position.

(b) "Authorized" means the department of social and health services or the department of children, youth, and families grants an applicant, home, or facility permission to:

(i) Conduct licensing, certification, or contracting activities;

(ii) Have unsupervised access to vulnerable adults, juveniles, and children;

(iii) Receive payments from a department of social and health services or department of children, youth, and families program; or

(iv) Work or serve in a department of social and health services or department of children, youth, and families-covered position.

(c) "Secretary" means the secretary of the department of social and health services.

(d) "Secure facility" has the meaning provided in RCW 71.09.020.

(e) "Service provider" means entities, facilities, agencies, businesses, or individuals who are licensed, certified, authorized, or regulated by, receive payment from, or have contracts or agreements with the department of social and health services or the department of children, youth, and families to provide services to vulnerable adults, juveniles, or children. "Service provider" includes individuals whom a department of social and health services or department of children, youth, and families client or guardian of a department of social and health services or department of children, youth, and families client may choose to hire or engage to provide services to himself or herself or another vulnerable adult, juvenile, or child and who might be eligible to receive payment from the department of social and health services or the department of children, youth, and families for services rendered.

**Sec.**  RCW 43.79.505 and 2019 c 251 s 9 are each amended to read as follows:

The judicial stabilization trust account is created within the state treasury, subject to appropriation. All receipts from the surcharges authorized by RCW 3.62.060(2), 12.40.020, 36.18.018(4), and 36.18.020(5) shall be deposited in this account. Moneys in the account may be spent only after appropriation.

Expenditures from the account may be used only for the support of judicial branch agencies and, for the 2021-2023 fiscal biennium, for expenditures to address state and local costs related to the *State v. Blake* decision.

**Sec.**  RCW 43.83B.430 and 2020 c 168 s 6 are each amended to read as follows:

The state drought preparedness and response account is created in the state treasury. All receipts from appropriated funds designated for the account and all cost recovery revenues collected under RCW 43.83B.410(5) must be deposited into the account. Expenditures from the account may be used for drought preparedness and response activities under this chapter, including grants issued under RCW 43.83B.415. During the 2021-2023 fiscal biennium, moneys in the account may be used for water banking pilot projects. Moneys in the account may be spent only after appropriation.

**Sec.**  RCW 43.101.435 and 2019 c 415 s 971 are each amended to read as follows:

The Washington internet crimes against children account is created in the custody of the state treasurer. All receipts from legislative appropriations, donations, gifts, grants, and funds from federal or private sources must be deposited into the account. Expenditures from the account must be used exclusively by the Washington internet crimes against children task force and its affiliate agencies for combating internet-facilitated crimes against children, promoting education on internet safety to the public and to minors, and rescuing child victims from abuse and exploitation. Only the criminal justice training commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The commission may enter into agreements with the Washington association of sheriffs and police chiefs to administer grants and other activities funded by the account and be paid an administrative fee not to exceed three percent of expenditures. During the 2019-2021 and 2021-2023 fiscal ((~~biennium~~)) biennia, moneys in the account may be used by the Washington state patrol for activities related to the missing and exploited children task force.

**Sec.**  RCW 43.216.1368 and 2021 c 199 s 201 are each amended to read as follows:

(1) It is the intent of the legislature to increase working families' access to affordable, high quality child care and to support the expansion of the workforce to support businesses and the statewide economy.

(2) Beginning October 1, 2021, a family is eligible for working connections child care when the household's annual income is at or below 60 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(3) Beginning July 1, 2025, a family is eligible for working connections child care when the household's annual income is above 60 percent and at or below 75 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(4) Beginning July 1, 2027, and subject to the availability of amounts appropriated for this specific purpose, a family is eligible for working connections child care when the household's annual income is above 75 percent of the state median income and is at or below 85 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(5)(a) Beginning ((~~July~~)) October 1, 2021, through June 30, 2023, the department must calculate a monthly copayment according to the following schedule:

|  |  |
| --- | --- |
| If the household's income is: | Then the household's maximum monthly copayment is: |
| At or below 20 percent of the state median income | Waived to the extent allowable under federal law; otherwise, a maximum of $15 |
| Above 20 percent and at or below 36 percent of the state median income | $65 |
| Above 36 percent and at or below 50 percent of the state median income | $115 until December 31, 2021, and $90 beginning January 1, 2022 |
| Above 50 percent and at or below 60 percent of the state median income | $115 |

(b) Beginning July 1, 2023, the department must calculate a monthly copayment according to the following schedule:

|  |  |
| --- | --- |
| If the household's income is: | Then the household's maximum monthly copayment is: |
| At or below 20 percent of the state median income | Waived to the extent allowable under federal law; otherwise, a maximum of $15 |
| Above 20 percent and at or below 36 percent of the state median income | $65 |
| Above 36 percent and at or below 50 percent of the state median income | $90 |
| Above 50 percent and at or below 60 percent of the state median income | $165 |

(c) Beginning July 1, 2025, the department must calculate a maximum monthly copayment of $215 for households with incomes above 60 percent and at or below 75 percent of the state median income.

(d) Subject to the availability of amounts appropriated for this specific purpose, the department shall adopt a copayment model for households with annual incomes above 75 percent of the state median income and at or below 85 percent of the state median income. The model must calculate a copayment for each household that is no greater than seven percent of the household's countable income within this income range.

(e) The department may adjust the copayment schedule to comply with federal law.

(6) The department must adopt rules to implement this section, including an income phase-out eligibility period.

**Sec.**  RCW 43.216.270 and 2020 c 270 s 9 are each amended to read as follows:

(1)(a) In determining whether an individual is of appropriate character, suitability, and competence to provide child care and early learning services to children, the department may consider the history of past involvement of child protective services or law enforcement agencies with the individual for the purpose of establishing a pattern of conduct, behavior, or inaction with regard to the health, safety, or welfare of a child. No report of child abuse or neglect that has been destroyed or expunged under RCW 26.44.031 may be used for such purposes. No unfounded or inconclusive allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a provider licensed under this chapter.

(b) The department may not deny or delay a license to provide child care and early learning services under this chapter to an individual solely because of a founded finding of physical abuse or negligent treatment or maltreatment involving the individual revealed in the background check process or solely because the individual's child was found by a court to be dependent as a result of a finding that the individual abused or neglected their child pursuant to RCW 13.34.030(6)(b) when that founded finding or court finding is accompanied by a certificate of parental improvement as defined in chapter 74.13 RCW related to the same incident.

(2) In order to determine the suitability of individuals newly applying for an agency license, new licensees, their new employees, and other persons who newly have unsupervised access to children in child care, shall be fingerprinted.

(a) The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history record check.

(b)(i) All individuals applying for first-time agency licenses, all new employees, and other persons who have not been previously qualified by the department to have unsupervised access to children in child care must be fingerprinted and obtain a criminal history record check pursuant to this section.

(ii) ((~~Persons~~)) Except during fiscal year 2023, persons required to be fingerprinted and obtain a criminal history record check pursuant to this section must pay for the cost of this check as follows: The fee established by the Washington state patrol for the criminal background history check, including the cost of obtaining the fingerprints; and a fee paid to the department for the cost of administering the individual-based/portable background check clearance registry. The fee paid to the department must be deposited into the individual-based/portable background check clearance account established in RCW 43.216.273. The licensee may, but need not, pay these costs on behalf of a prospective employee or reimburse the prospective employee for these costs. The licensee and the prospective employee may share these costs.

(c) The secretary shall use the fingerprint criminal history record check information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children.

(d) Criminal justice agencies shall provide the secretary such information as they may have and that the secretary may require for such purpose.

(e) No later than July 1, 2013, all agency licensees holding licenses prior to July 1, 2012, persons who were employees before July 1, 2012, and persons who have been qualified by the department before July 1, 2012, to have unsupervised access to children in child care, must submit a new background application to the department. The department must require persons submitting a new background application pursuant to this subsection (2)(e) to pay a fee to the department for the cost of administering the individual-based/portable background check clearance registry. This fee must be paid into the individual-based/portable background check clearance account established in RCW 43.216.273. The licensee may, but need not, pay these costs on behalf of a prospective employee or reimburse the prospective employee for these costs. The licensee and the prospective employee may share these costs.

(f) The department shall issue a background check clearance card or certificate to the applicant if after the completion of a background check the department concludes the applicant is qualified for unsupervised access to children in child care. The background check clearance card or certificate is valid for three years from the date of issuance. A valid card or certificate must be accepted by a potential employer as proof that the applicant has successfully completed a background check as required under this chapter. For purposes of renewal of the background clearance card or certificate, all agency licensees holding a license, persons who are employees, and persons who have been previously qualified by the department, must submit a new background application to the department on a date to be determined by the department. ((~~The~~)) Except during fiscal year 2023, fee requirements applicable to this section also apply to background clearance renewal applications.

(g) The original applicant for an agency license, licensees, their employees, and other persons who have unsupervised access to children in child care shall submit a new background check application to the department, on a form and by a date as determined by the department.

(h) The payment requirements applicable to (a) through (g) of this subsection do not apply to persons who:

(i) Provide regularly scheduled care for a child or children in the home of the provider or in the home of the child or children for periods of less than twenty-four hours or, if necessary due to the nature of the parent's work, for periods equal to or greater than twenty-four hours;

(ii) Receive child care subsidies; and

(iii) Are exempt from licensing under this chapter.

(i) The applicant and agency shall maintain on-site for inspection a copy of the background check clearance card or certificate.

(j) Individuals who have been issued a background check clearance card or certificate shall report nonconviction and conviction information to the department within twenty-four hours of the event constituting the nonconviction or conviction information.

(k) The department shall investigate and conduct a redetermination of an applicant's or licensee's background clearance if the department receives a complaint or information from individuals, a law enforcement agency, or other federal, state, or local government agency. Subject to the requirements contained in RCW 43.216.325 and 43.216.327 and based on a determination that an individual lacks the appropriate character, suitability, or competence to provide child care or early learning services to children, the department may: (i) Invalidate the background card or certificate; or (ii) suspend, modify, or revoke any license authorized by this chapter.

(3) To satisfy the shared background check requirements of the department of children, youth, and families, the office of the superintendent of public instruction, and the department of social and health services, each department shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow these departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. These departments may not share the federal background check results with any other state agency or person.

(4) Individuals who have completed a fingerprint background check as required by the office of the superintendent of public instruction, consistent with RCW 28A.400.303, and have been continuously employed by the same school district or educational service district, can meet the requirements in subsection (2) of this section by providing a true and accurate copy of their Washington state patrol and federal bureau of investigation background check report results to the department or if the school district or the educational service district provides an affidavit to the department that the individual has been authorized to work by the school district or educational service district after completing a record check consistent with RCW 28A.400.303. The department may require that additional background checks be completed that do not require additional fingerprinting and, except during fiscal year 2023, may charge a fee for these additional background checks.

**Sec.**  RCW 43.348.080 and 2019 c 445 s 403 are each amended to read as follows:

(1) The Andy Hill cancer research endowment fund match transfer account is created in the custody of the state treasury to be used solely and exclusively for the program created in RCW 43.348.040. Moneys in the account may be spent only after appropriation. The purpose of the account is to provide matching funds for the fund and administrative costs. Expenditures to fund or reimburse the program administrator are not subject to the requirements of subsection (4) of this section.

(2) The legislature must appropriate a state match, up to a maximum of ten million dollars annually, beginning July 1, 2016, and each July 1st following the end of the fiscal year from tax collections and penalties generated from enforcement of state taxes on cigarettes and other tobacco products by the state liquor and cannabis board or other federal, state or local law or tax enforcement agency, as determined by the department of revenue. Tax collections include any cigarette tax, other tobacco product tax, and retail sales and use tax. Any amounts deposited into this account from the tax imposed under RCW 82.25.010 in excess of the cap provided in this subsection must be deposited into the foundational public health services account created in RCW 82.25.015.

(3) Revenues to the account must consist of deposits into the account, taxes imposed on vapor products under RCW 82.25.010, legislative appropriations, and any gifts, grants, or donations received by the department for this purpose.

(4) Each fiscal biennium, the legislature must appropriate to the department of commerce such amounts as estimated to be the balance of the account to provide state matching funds.

(5) Expenditures, in the form of matching funds, from the account may be made only upon receipt of proof from the program administrator of nonstate or private contributions to the fund for the program. Expenditures, in the form of matching funds, may not exceed the total amount of nonstate or private contributions.

(6) The department must enter into an appropriate agreement with the program administrator to demonstrate exchange of consideration for the matching funds.

(7) Moneys expended into the account in fiscal year 2023 pursuant to section 707 of this act are not subject to the requirements of subsections (5) and (6) of this section.

**Sec.**  RCW 50A.10.030 and 2019 c 13 s 21 are each amended to read as follows:

(1)(a) Beginning January 1, 2019, the department shall assess for each individual in employment with an employer and for each individual electing coverage a premium based on the amount of the individual's wages subject to subsection (4) of this section.

(b) The premium rate for family leave benefits shall be equal to one-third of the total premium rate.

(c) The premium rate for medical leave benefits shall be equal to two-thirds of the total premium rate.

(2) For calendar year 2022 and thereafter, the commissioner shall determine the percentage of paid claims related to family leave benefits and the percentage of paid claims related to medical leave benefits and adjust the premium rates set in subsection (1)(b) and (c) of this section by the proportional share of paid claims.

(3)(a) Beginning January 1, 2019, and ending December 31, 2020, the total premium rate shall be four-tenths of one percent of the individual's wages subject to subsection (4) of this section.

(b) For family leave premiums, an employer may deduct from the wages of each employee up to the full amount of the premium required.

(c) For medical leave premiums, an employer may deduct from the wages of each employee up to forty-five percent of the full amount of the premium required.

(d) An employer may elect to pay all or any portion of the employee's share of the premium for family leave or medical leave benefits, or both.

(4) The commissioner must annually set a maximum limit on the amount of wages that is subject to a premium assessment under this section that is equal to the maximum wages subject to taxation for social security as determined by the social security administration.

(5)(a) Employers with fewer than fifty employees employed in the state are not required to pay the employer portion of premiums for family and medical leave.

(b) If an employer with fewer than fifty employees elects to pay the premiums, the employer is then eligible for assistance under RCW 50A.24.010.

(6) For calendar year 2021 and thereafter, the total premium rate shall be based on the family and medical leave insurance account balance ratio as of September 30th of the previous year. The commissioner shall calculate the account balance ratio by dividing the balance of the family and medical leave insurance account by total covered wages paid by employers and those electing coverage. The division shall be carried to the fourth decimal place with the remaining fraction disregarded unless it amounts to five hundred-thousandths or more, in which case the fourth decimal place shall be rounded to the next higher digit. If the account balance ratio is:

(a) Zero to nine hundredths of one percent, the premium is six tenths of one percent of the individual's wages;

(b) One tenth of one percent to nineteen hundredths of one percent, the premium is five tenths of one percent of the individual's wages;

(c) Two tenths of one percent to twenty-nine hundredths of one percent, the premium is four tenths of one percent of the individual's wages;

(d) Three tenths of one percent to thirty-nine hundredths of one percent, the premium is three tenths of one percent of the individual's wages;

(e) Four tenths of one percent to forty-nine hundredths of one percent, the premium is two tenths of one percent of the individual's wages; or

(f) Five tenths of one percent or greater, the premium is one tenth of one percent of the individual's wages.

(7) Beginning January 1, 2021, if the account balance ratio calculated in subsection (6) of this section is below five hundredths of one percent, the commissioner must assess a solvency surcharge at the lowest rate necessary to provide revenue to pay for the administrative and benefit costs of family and medical leave, for the calendar year, as determined by the commissioner. The solvency surcharge shall be at least one-tenth of one percent and no more than six-tenths of one percent and be added to the total premium rate for family and medical leave benefits. Any projected expenditures of general fund moneys into the family and medical leave insurance account pursuant to section 715 of this act must be excluded from the commissioner's determination of the necessary revenue to pay the administrative and benefit costs of family and medical leave for the calendar year.

(8)(a) The employer must collect from the employees the premiums and any surcharges provided under this section through payroll deductions and remit the amounts collected to the department.

(b) In collecting employee premiums through payroll deductions, the employer shall act as the agent of the employees and shall remit the amounts to the department as required by this title.

(c) On September 30th of each year, the department shall average the number of employees reported by an employer over the last four completed calendar quarters to determine the size of the employer for the next calendar year for the purposes of this section and RCW 50A.24.010.

(9) Premiums shall be collected in the manner and at such intervals as provided in this title and directed by the department.

(10) Premiums collected under this section are placed in trust for the employees and employers that the program is intended to assist.

(11) A city, code city, town, county, or political subdivision may not enact a charter, ordinance, regulation, rule, or resolution:

(a) Creating a paid family or medical leave insurance program that alters or amends the requirements of this title for any private employer;

(b) Providing for local enforcement of the provisions of this title; or

(c) Requiring private employers to supplement duration of leave or amount of wage replacement benefits provided under this title.

**Sec.**  RCW 70A.200.140 and 2021 c 334 s 987 are each amended to read as follows:

(1) There is hereby created an account within the state treasury to be known as the waste reduction, recycling, and litter control account. Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) Forty percent to the department of ecology, primarily for use by the departments of ecology, natural resources, revenue, transportation, and corrections, and the parks and recreation commission, for litter collection programs under RCW 70A.200.170. The amount to the department of ecology shall also be used for a central coordination function for litter control efforts statewide; to support employment of youth in litter cleanup as intended in RCW 70A.200.020, and for litter pick up using other authorized agencies; and for statewide public awareness programs under RCW 70A.200.150(7). The amount to the department shall also be used to defray the costs of administering the funding, coordination, and oversight of local government programs for waste reduction, litter control, recycling, and composting so that local governments can apply one hundred percent of their funding to achieving program goals. The amount to the department of revenue shall be used to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

(b)(i) Twenty percent to the department for local government funding programs for waste reduction, litter control, recycling activities, and composting activities by cities and counties under RCW 70A.200.190, to be administered by the department of ecology; (ii) any unspent funds under (b)(i) of this subsection may be used to create and pay for a matching fund competitive grant program to be used by local governments for the development and implementation of contamination reduction and outreach plans for inclusion in comprehensive solid waste management plans or by local governments and nonprofit organizations for local or statewide education programs designed to help the public with litter control, waste reduction, recycling, and composting of primarily the products taxed under chapter 82.19 RCW. Recipients under this subsection include programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3). Grants must adhere to the following requirements: (A) No grant may exceed sixty thousand dollars; (B) grant recipients shall match the grant funding allocated by the department by an amount equal to twenty-five percent of eligible expenses. A local government's share of these costs may be met by cash or contributed services; (C) the obligation of the department to make grant payments is contingent upon the availability of the amount of money appropriated for this subsection (1)(b); and (D) grants are managed under the guidelines for existing grant programs; and

(c) Forty percent to the department of ecology to: (i) Implement activities under RCW 70A.200.150 for waste reduction, recycling, and composting efforts; (ii) provide technical assistance to local governments and commercial businesses to increase recycling markets and recycling and composting programs primarily for the products taxed under chapter 82.19 RCW designed to educate citizens about waste reduction, litter control, and recyclable and compostable products and programs; (iii) increase access to waste reduction, composting, and recycling programs, particularly for food packaging and plastic bags and appropriate composting techniques; and (iv) for programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3).

(2) All taxes imposed in RCW 82.19.010 and fines and bail forfeitures collected or received pursuant to this chapter shall be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1) of this section.

(3) Not less than five percent and no more than ten percent of the amount appropriated into the waste reduction, recycling, and litter control account every biennium shall be reserved for capital needs, including the purchase of vehicles for transporting crews and for collecting litter and solid waste. Capital funds shall be distributed among state agencies and local governments according to the same criteria provided in RCW 70A.200.170 for the remainder of the funds, so that the most effective waste reduction, litter control, recycling, and composting programs receive the most funding. The intent of this subsection is to provide funds for the purchase of equipment that will enable the department to account for the greatest return on investment in terms of reaching a zero litter goal.

(4) Funds in the waste reduction, recycling, and litter control account, collected under chapter 82.19 RCW, must be prioritized for the products identified under RCW 82.19.020 solely for the purposes of recycling, composting, and litter collection, reduction, and control programs.

(5) During the 2021-2023 fiscal biennium, Washington State University may use funds in the waste reduction, recycling, and litter control account, collected under chapter 82.19 RCW, to conduct an organic waste study.

(6) During the 2021-2023 fiscal biennium, and as an exception to the distribution of expenditures otherwise required in this section, the department of ecology may use funds in the waste reduction, recycling, and litter control account to continue a series of food waste reduction campaigns and to continue to invest in litter prevention campaigns.

**Sec.**  RCW 74.46.561 and 2021 c 334 s 993 are each amended to read as follows:

(1) The legislature adopts a new system for establishing nursing home payment rates beginning July 1, 2016. Any payments to nursing homes for services provided after June 30, 2016, must be based on the new system. The new system must be designed in such a manner as to decrease administrative complexity associated with the payment methodology, reward nursing homes providing care for high acuity residents, incentivize quality care for residents of nursing homes, and establish minimum staffing standards for direct care.

(2) The new system must be based primarily on industry-wide costs, and have three main components: Direct care, indirect care, and capital.

(3) The direct care component must include the direct care and therapy care components of the previous system, along with food, laundry, and dietary services. Direct care must be paid at a fixed rate, based on one hundred percent or greater of statewide case mix neutral median costs, but for fiscal year 2023 shall be capped so that a nursing home provider's direct care rate does not exceed one hundred thirty percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2). The legislature intends to remove the cap on direct care rates by June 30, 2027. Direct care must be performance-adjusted for acuity every six months, using case mix principles. Direct care must be regionally adjusted using countywide wage index information available through the United States department of labor's bureau of labor statistics. There is no minimum occupancy for direct care. The direct care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(4) The indirect care component must include the elements of administrative expenses, maintenance costs, and housekeeping services from the previous system. A minimum occupancy assumption of ninety percent must be applied to indirect care, except during fiscal year 2023 when the minimum occupancy assumption must be 80 percent. Indirect care must be paid at a fixed rate, based on ninety percent or greater of statewide median costs. The indirect care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(5) The capital component must use a fair market rental system to set a price per bed. The capital component must be adjusted for the age of the facility, and must use a minimum occupancy assumption of ninety percent.

(a) Beginning July 1, 2016, the fair rental rate allocation for each facility must be determined by multiplying the allowable nursing home square footage in (c) of this subsection by the RSMeans rental rate in (d) of this subsection and by the number of licensed beds yielding the gross unadjusted building value. An equipment allowance of ten percent must be added to the unadjusted building value. The sum of the unadjusted building value and equipment allowance must then be reduced by the average age of the facility as determined by (e) of this subsection using a depreciation rate of one and one-half percent. The depreciated building and equipment plus land valued at ten percent of the gross unadjusted building value before depreciation must then be multiplied by the rental rate at seven and one-half percent to yield an allowable fair rental value for the land, building, and equipment.

(b) The fair rental value determined in (a) of this subsection must be divided by the greater of the actual total facility census from the prior full calendar year or imputed census based on the number of licensed beds at ninety percent occupancy.

(c) For the rate year beginning July 1, 2016, all facilities must be reimbursed using four hundred square feet. For the rate year beginning July 1, 2017, allowable nursing facility square footage must be determined using the total nursing facility square footage as reported on the medicaid cost reports submitted to the department in compliance with this chapter. The maximum allowable square feet per bed may not exceed four hundred fifty.

(d) Each facility must be paid at eighty-three percent or greater of the median nursing facility RSMeans construction index value per square foot. The department may use updated RSMeans construction index information when more recent square footage data becomes available. The statewide value per square foot must be indexed based on facility zip code by multiplying the statewide value per square foot times the appropriate zip code based index. For the purpose of implementing this section, the value per square foot effective July 1, 2016, must be set so that the weighted average fair rental value rate is not less than ten dollars and eighty cents per patient day. The capital component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(e) The average age is the actual facility age reduced for significant renovations. Significant renovations are defined as those renovations that exceed two thousand dollars per bed in a calendar year as reported on the annual cost report submitted in accordance with this chapter. For the rate beginning July 1, 2016, the department shall use renovation data back to 1994 as submitted on facility cost reports. Beginning July 1, 2016, facility ages must be reduced in future years if the value of the renovation completed in any year exceeds two thousand dollars times the number of licensed beds. The cost of the renovation must be divided by the accumulated depreciation per bed in the year of the renovation to determine the equivalent number of new replacement beds. The new age for the facility is a weighted average with the replacement bed equivalents reflecting an age of zero and the existing licensed beds, minus the new bed equivalents, reflecting their age in the year of the renovation. At no time may the depreciated age be less than zero or greater than forty-four years.

(f) A nursing facility's capital component rate allocation must be rebased annually, effective July 1, 2016, in accordance with this section and this chapter.

(g) For the purposes of this subsection (5), "RSMeans" means building construction costs data as published by Gordian.

(6) A quality incentive must be offered as a rate enhancement beginning July 1, 2016.

(a) An enhancement no larger than five percent and no less than one percent of the statewide average daily rate must be paid to facilities that meet or exceed the standard established for the quality incentive. All providers must have the opportunity to earn the full quality incentive payment.

(b) The quality incentive component must be determined by calculating an overall facility quality score composed of four to six quality measures. For fiscal year 2017 there shall be four quality measures, and for fiscal year 2018 there shall be six quality measures. Initially, the quality incentive component must be based on minimum data set quality measures for the percentage of long-stay residents who self-report moderate to severe pain, the percentage of high-risk long-stay residents with pressure ulcers, the percentage of long-stay residents experiencing one or more falls with major injury, and the percentage of long-stay residents with a urinary tract infection. Quality measures must be reviewed on an annual basis by a stakeholder work group established by the department. Upon review, quality measures may be added or changed. The department may risk adjust individual quality measures as it deems appropriate.

(c) The facility quality score must be point based, using at a minimum the facility's most recent available three-quarter average centers for medicare and medicaid services quality data. Point thresholds for each quality measure must be established using the corresponding statistical values for the quality measure point determinants of eighty quality measure points, sixty quality measure points, forty quality measure points, and twenty quality measure points, identified in the most recent available five-star quality rating system technical user's guide published by the centers for medicare and medicaid services.

(d) Facilities meeting or exceeding the highest performance threshold (top level) for a quality measure receive twenty-five points. Facilities meeting the second highest performance threshold receive twenty points. Facilities meeting the third level of performance threshold receive fifteen points. Facilities in the bottom performance threshold level receive no points. Points from all quality measures must then be summed into a single aggregate quality score for each facility.

(e) Facilities receiving an aggregate quality score of eighty percent of the overall available total score or higher must be placed in the highest tier (tier V), facilities receiving an aggregate score of between seventy and seventy-nine percent of the overall available total score must be placed in the second highest tier (tier IV), facilities receiving an aggregate score of between sixty and sixty-nine percent of the overall available total score must be placed in the third highest tier (tier III), facilities receiving an aggregate score of between fifty and fifty-nine percent of the overall available total score must be placed in the fourth highest tier (tier II), and facilities receiving less than fifty percent of the overall available total score must be placed in the lowest tier (tier I).

(f) The tier system must be used to determine the amount of each facility's per patient day quality incentive component. The per patient day quality incentive component for tier IV is seventy-five percent of the per patient day quality incentive component for tier V, the per patient day quality incentive component for tier III is fifty percent of the per patient day quality incentive component for tier V, and the per patient day quality incentive component for tier II is twenty-five percent of the per patient day quality incentive component for tier V. Facilities in tier I receive no quality incentive component.

(g) Tier system payments must be set in a manner that ensures that the entire biennial appropriation for the quality incentive program is allocated.

(h) Facilities with insufficient three-quarter average centers for medicare and medicaid services quality data must be assigned to the tier corresponding to their five-star quality rating. Facilities with a five-star quality rating must be assigned to the highest tier (tier V) and facilities with a one-star quality rating must be assigned to the lowest tier (tier I). The use of a facility's five-star quality rating shall only occur in the case of insufficient centers for medicare and medicaid services minimum data set information.

(i) The quality incentive rates must be adjusted semiannually on July 1 and January 1 of each year using, at a minimum, the most recent available three-quarter average centers for medicare and medicaid services quality data.

(j) Beginning July 1, 2017, the percentage of short-stay residents who newly received an antipsychotic medication must be added as a quality measure. The department must determine the quality incentive thresholds for this quality measure in a manner consistent with those outlined in (b) through (h) of this subsection using the centers for medicare and medicaid services quality data.

(k) Beginning July 1, 2017, the percentage of direct care staff turnover must be added as a quality measure using the centers for medicare and medicaid services' payroll-based journal and nursing home facility payroll data. Turnover is defined as an employee departure. The department must determine the quality incentive thresholds for this quality measure using data from the centers for medicare and medicaid services' payroll-based journal, unless such data is not available, in which case the department shall use direct care staffing turnover data from the most recent medicaid cost report.

(7) Reimbursement of the safety net assessment imposed by chapter 74.48 RCW and paid in relation to medicaid residents must be continued.

(8)(a) The direct care and indirect care components must be rebased in even-numbered years, beginning with rates paid on July 1, 2016. Rates paid on July 1, 2016, must be based on the 2014 calendar year cost report. On a percentage basis, after rebasing, the department must confirm that the statewide average daily rate has increased at least as much as the average rate of inflation, as determined by the skilled nursing facility market basket index published by the centers for medicare and medicaid services, or a comparable index. If after rebasing, the percentage increase to the statewide average daily rate is less than the average rate of inflation for the same time period, the department is authorized to increase rates by the difference between the percentage increase after rebasing and the average rate of inflation.

(b) It is the intention of the legislature that direct and indirect care rates paid in fiscal year 2022 will be rebased using the calendar year 2019 cost reports. For fiscal year 2021, in addition to the rates generated by (a) of this subsection, an additional adjustment is provided as established in this subsection (8)(b). Beginning May 1, 2020, and through June 30, 2021, the calendar year costs must be adjusted for inflation by a twenty-four month consumer price index, based on the most recently available monthly index for all urban consumers, as published by the bureau of labor statistics. It is also the intent of the legislature that, starting in fiscal year 2022, a facility-specific rate add-on equal to the inflation adjustment that facilities received solely in fiscal year 2021, must be added to the rate.

(c) To determine the necessity of regular inflationary adjustments to the nursing facility rates, by December 1, 2020, the department shall provide the appropriate policy and fiscal committees of the legislature with a report that provides a review of rates paid in 2017, 2018, and 2019 in comparison to costs incurred by nursing facilities.

(9) The direct care component provided in subsection (3) of this section is subject to the reconciliation and settlement process provided in RCW 74.46.022(6). Beginning July 1, 2016, pursuant to rules established by the department, funds that are received through the reconciliation and settlement process provided in RCW 74.46.022(6) must be used for technical assistance, specialized training, or an increase to the quality enhancement established in subsection (6) of this section. The legislature intends to review the utility of maintaining the reconciliation and settlement process under a price-based payment methodology, and may discontinue the reconciliation and settlement process after the 2017-2019 fiscal biennium.

(10) Compared to the rate in effect June 30, 2016, including all cost components and rate add-ons, no facility may receive a rate reduction of more than one percent on July 1, 2016, more than two percent on July 1, 2017, or more than five percent on July 1, 2018. To ensure that the appropriation for nursing homes remains cost neutral, the department is authorized to cap the rate increase for facilities in fiscal years 2017, 2018, and 2019.

**Sec.**  RCW 76.04.516 and 2021 c 298 s 3 are each amended to read as follows:

(1) By December 1st of each even-numbered year, and in compliance with RCW 43.01.036, the department must report to the governor and legislature on the following:

(a) The type and amount of the expenditures made, by fiscal year, and for what purpose, from the wildfire response, forest restoration, and community resilience account created in RCW 76.04.511 and from expenditures made from the general fund for implementation of this act;

(b) The amount of unexpended and unobligated funds in the wildfire response, forest restoration, and community resilience account and recommendations for the disbursement to local districts;

(c) Progress on implementation of the wildland fire protection 10-year strategic plan including, but not limited to, how investments are reducing human-caused wildfire starts, lowering the size and scale and geography of catastrophic wildfires, reducing the communities, landscapes, and population at risk, and creating resilient landscapes and communities;

(d) Progress on implementation of the 20-year forest health strategic plan as established through the forest health assessment and treatment framework pursuant to RCW 76.06.200 including, but not limited to: Assessment of fire prone lands and communities that are in need of forest health treatments; forest health treatments prioritized and conducted by landowner type, geography, and risk level; estimated value of any merchantable materials from forest health treatments; and number of acres treated by treatment type, including the use of prescribed fire;

(e) Progress on developing markets for forest residuals and biomass generated from forest health treatments.

(2) The department must include recommendations on any adjustments that may be necessary or advisable to the mechanism of funding dispensation as created under chapter 298, Laws of 2021.

(3) The report required in this section should support existing department assessments pursuant to RCW 79.10.530 and 76.06.200.

(4)(a)(i) Prior to the determination of the 2025-2034 sustainable harvest calculation as required by RCW 79.10.320, the department must hire an independent third-party contractor to assist it in updating its forest inventory by increasing the intensity of forest sample plots on all forestlands over the next two biennium. The department's sustainable harvest calculation technical advisory committee must be involved in the design, development, and implementation of this forest inventory update.

(ii) For purposes of this subsection, "forest inventory" means the collection of sample data to estimate a range of forest attributes including, but not limited to, standing volume, stored carbon, habitat attributes, age classes, tree species, and other inventory attributes, including information needed to estimate rates of tree growth and associated carbon sequestration on department lands.

(iii) The department's sustainable harvest calculation technical advisory committee must bring forward recommendations for regular maintenance and updates to the forest inventory on a ten-year basis.

(b) Prior to the determination of the 2025-2034 sustainable harvest calculation as required by RCW 79.10.320, the department must hire a third-party contractor to review, analyze, and advise the department's forest growth and yield modeling, specific to all types of forested acres managed by the department. The department's sustainable harvest calculation technical advisory committee must be involved in the design, review, and analysis of the department's forest growth and yield modeling.

(c) Prior to the determination of the 2025-2034 sustainable harvest calculation as required by RCW 79.10.320 and in the absence of any litigation, pending or in progress, against the department's sustainable harvest calculation, the joint legislative audit and review committee established in chapter 44.28 RCW must oversee and conduct an independent review of the methodologies and data being utilized by the department in the development of the sustainable harvest calculation, including the associated forest inventory, forest growth, harvest and yield data, and modeling techniques that impact harvest levels. In carrying out the review, the joint legislative audit and review committee shall:

(i) Retain one or more contractors with expertise in forest inventories, forest growth and yield modeling, and operational research modeling in forest harvest scheduling to conduct the technical review;

(ii) Be a member of department's sustainable harvest calculation technical advisory committee, along with one of its contractors selected in (c)(i) of this subsection; and

(iii) Prior to the department's determination of the sustainable harvest ((~~[calculation]~~)) calculation under RCW 79.10.320, ensure that a completed independent review and report with findings and recommendations is submitted to the board of natural resources and the legislature.

(d) Upon receiving the report from the joint legislative audit and review committee required under (c)(iii) of this subsection, the board of natural resources shall determine whether modifications are necessary to the sustainable harvest calculation prior to approving harvest level under RCW 79.10.320.

**Sec.**  RCW 79A.80.020 and 2017 c 121 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, a discover pass is required for any motor vehicle to:

(a) Park at any recreation site or lands; or

(b) Operate on any recreation site or lands.

(2) Except as provided in RCW 79A.80.110 and for fiscal year 2023, the cost of a discover pass is thirty dollars. Every four years the office of financial management must review the cost of the discover pass and, if necessary, recommend to the legislature an adjustment to the cost of the discover pass to account for inflation.

(3) A discover pass is valid for one year beginning from the date that the discover pass is marked for activation. The activation date may differ from the purchase date pursuant to any policies developed by the agencies.

(4) Sales of discover passes must be consistent with RCW 79A.80.100.

(5) The discover pass must contain space for two motor vehicle license plate numbers. A discover pass is valid only for those vehicle license plate numbers written on the pass. However, the agencies may offer for sale a family discover pass that is fully transferable among vehicles and does not require the placement of a license plate number on the pass to be valid. The agencies must collectively set a price for the sale of a family discover pass that is no more than fifty dollars. A discover pass is valid only for use with one motor vehicle at any one time.

(6)(a) One complimentary discover pass must be provided to a volunteer who performed twenty-four hours of service on agency- sanctioned volunteer projects in a year. The agency must provide vouchers to volunteers identifying the number of volunteer hours they have provided for each project. The vouchers may be brought to an agency to be redeemed for a discover pass.

(b) Married spouses under chapter 26.04 RCW may present an agency with combined vouchers demonstrating the collective performance of twenty-four hours of service on agency-sanctioned volunteer projects in a year to be redeemed for a single complimentary discover pass.

(7) For fiscal year 2023, a discover pass must be provided to the public free of charge. The commission must provide discover passes to all vendor sites for distribution. The commission must provide the department of licensing discover passes to make available to all people who are purchasing vehicle licensing within fiscal year 2023.

**Sec.**  2021 c 334 s 939 (uncodified) is amended to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—HIGHLINE COMMUNITY COLLEGE—WPEA**

(1) An agreement has been reached between Highline Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either a general wage increase or mandatory employee furloughs.

(2) For fiscal year 2023 employees covered by Washington public employees association at the Highline Community College are included in the coalition agreement in sec. 912 of this act.

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

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

**--- END ---**