
SENATE BILL 5094

State of Washington

62nd Legislature

2011 Regular Session

By Senators Murray, Zarelli, Kilmer, and Parlette; by request of Governor Gregoire

Read first time 01/13/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to fiscal matters; amending RCW 15.76.115,
2 28A.600.110, 28A.600.150, 28B.76.660, 28B.102.040, 28B.102.050,
3 28B.15.068, 28B.115.080, 28B.117.030, 28B.117.040, 28C.04.535,
4 38.52.540, 41.26.802, 41.50.110, 41.56.028, 41.56.029, 41.80.010,
5 41.80.020, 43.08.190, 43.09.412, 43.09.475, 43.19.501, 43.79.201,
6 43.76.465, 43.105.052, 43.135.045, 43.185C.060, 66.08.170, 66.08.235,
7 67.70.260, 70.93.180, 70.105D.070, 70.105D.130, 74.39A.300, 79.64.040,
8 79.105.150, and 86.26.007; reenacting and amending RCW 43.155.050 and
9 43.330.250; creating new sections; making appropriations; providing an
10 effective date; providing expiration dates; and declaring an emergency.

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

12 NEW SECTION. **Sec. 1.** (1) A budget is hereby adopted and, subject
13 to the provisions set forth in the following sections, the several
14 amounts specified in parts I through IX of this act, or so much thereof
15 as shall be sufficient to accomplish the purposes designated, are
16 hereby appropriated and authorized to be incurred for salaries, wages,
17 and other expenses of the agencies and offices of the state and for
18 other specified purposes for the fiscal biennium beginning July 1,

1 2011, and ending June 30, 2013, except as otherwise provided, out of
2 the several funds of the state hereinafter named.

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

5 (a) "Fiscal year 2012" or "FY 2012" means the fiscal year ending
6 June 30, 2012.

7 (b) "Fiscal year 2013" or "FY 2013" means the fiscal year ending
8 June 30, 2013.

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

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

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

17 **PART I**
18 **GENERAL GOVERNMENT**

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

20	General Fund--State Appropriation (FY 2012)	\$32,671,000
21	General Fund--State Appropriation (FY 2013)	\$32,946,000
22	TOTAL APPROPRIATION	\$65,617,000

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

24	General Fund--State Appropriation (FY 2012)	\$24,030,000
25	General Fund--State Appropriation (FY 2013)	\$26,191,000
26	TOTAL APPROPRIATION	\$50,221,000

27 **NEW SECTION. Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
28 **COMMITTEE**

29	General Fund--State Appropriation (FY 2012)	\$2,939,000
30	General Fund--State Appropriation (FY 2013)	\$2,997,000
31	TOTAL APPROPRIATION	\$5,936,000

32 **NEW SECTION. Sec. 104. THE LEGISLATIVE EVALUATION AND**

1 **ACCOUNTABILITY PROGRAM COMMITTEE**
2 General Fund--State Appropriation (FY 2012) \$1,786,000
3 General Fund--State Appropriation (FY 2013) \$1,961,000
4 TOTAL APPROPRIATION \$3,747,000

5 NEW SECTION. **Sec. 105. FOR THE OFFICE OF THE STATE ACTUARY**
6 General Fund--State Appropriation (FY 2012) \$25,000
7 General Fund--State Appropriation (FY 2013) \$25,000
8 Department of Retirement Systems Expense
9 Account--State Appropriation \$3,324,000
10 TOTAL APPROPRIATION \$3,374,000

11 NEW SECTION. **Sec. 106. FOR THE JOINT LEGISLATIVE SYSTEMS**
12 **COMMITTEE**
13 General Fund--State Appropriation (FY 2012) \$8,657,000
14 General Fund--State Appropriation (FY 2013) \$8,548,000
15 TOTAL APPROPRIATION \$17,205,000

16 NEW SECTION. **Sec. 107. FOR THE STATUTE LAW COMMITTEE**
17 General Fund--State Appropriation (FY 2012) \$4,620,000
18 General Fund--State Appropriation (FY 2013) \$5,067,000
19 TOTAL APPROPRIATION \$9,687,000

20 NEW SECTION. **Sec. 108. FOR THE REDISTRICTING COMMISSION**
21 General Fund--State Appropriation (FY 2012) \$1,184,000
22 General Fund--State Appropriation (FY 2013) \$154,000
23 TOTAL APPROPRIATION \$1,338,000

24 NEW SECTION. **Sec. 109. FOR THE SUPREME COURT**
25 General Fund--State Appropriation (FY 2012) \$7,231,000
26 General Fund--State Appropriation (FY 2013) \$7,300,000
27 TOTAL APPROPRIATION \$14,531,000

28 NEW SECTION. **Sec. 110. FOR THE LAW LIBRARY**
29 General Fund--State Appropriation (FY 2012) \$1,706,000
30 General Fund--State Appropriation (FY 2013) \$1,699,000
31 TOTAL APPROPRIATION \$3,405,000

1 NEW SECTION. **Sec. 111. FOR THE COURT OF APPEALS**

2	General Fund--State Appropriation (FY 2012)	\$16,572,000
3	General Fund--State Appropriation (FY 2013)	\$16,784,000
4	TOTAL APPROPRIATION	\$33,356,000

5 NEW SECTION. **Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT**

6	General Fund--State Appropriation (FY 2012)	\$1,134,000
7	General Fund--State Appropriation (FY 2013)	\$1,062,000
8	TOTAL APPROPRIATION	\$2,196,000

9 NEW SECTION. **Sec. 113. FOR THE ADMINISTRATOR FOR THE COURTS**

10	General Fund--State Appropriation (FY 2012)	\$57,533,000
11	General Fund--State Appropriation (FY 2013)	\$59,191,000
12	General Fund--Federal Appropriation	\$1,551,000
13	General Fund--Private/Local Appropriation	\$257,000
14	Judicial Information Systems Account--State	
15	Appropriation	\$37,875,000
16	TOTAL APPROPRIATION	\$156,407,000

17 NEW SECTION. **Sec. 114. FOR THE OFFICE OF PUBLIC DEFENSE**

18	General Fund--State Appropriation (FY 2012)	\$26,728,000
19	General Fund--State Appropriation (FY 2013)	\$26,663,000
20	TOTAL APPROPRIATION	\$53,391,000

21 The appropriations in this section are subject to the following
22 conditions and limitations: The amounts provided include funding for
23 expert and investigative services in death penalty personal restraint
24 petitions.

25 NEW SECTION. **Sec. 115. FOR THE OFFICE OF CIVIL LEGAL AID**

26	General Fund--State Appropriation (FY 2012)	\$11,919,000
27	General Fund--State Appropriation (FY 2013)	\$12,149,000
28	TOTAL APPROPRIATION	\$24,068,000

29 NEW SECTION. **Sec. 116. FOR THE OFFICE OF THE GOVERNOR**

30	General Fund--State Appropriation (FY 2012)	\$5,471,000
31	General Fund--State Appropriation (FY 2013)	\$5,447,000
32	Economic Development Strategic Reserve Account--State	
33	Appropriation	\$1,500,000

1	TOTAL APPROPRIATION	\$12,418,000
2	<u>NEW SECTION. Sec. 117. FOR THE LIEUTENANT GOVERNOR</u>	
3	General Fund--State Appropriation (FY 2012)	\$512,000
4	General Fund--State Appropriation (FY 2013)	\$522,000
5	General Fund--Private/Local Appropriation	\$90,000
6	TOTAL APPROPRIATION	\$1,124,000
7	<u>NEW SECTION. Sec. 118. FOR THE PUBLIC DISCLOSURE COMMISSION</u>	
8	General Fund--State Appropriation (FY 2012)	\$2,087,000
9	General Fund--State Appropriation (FY 2013)	\$2,061,000
10	TOTAL APPROPRIATION	\$4,148,000
11	<u>NEW SECTION. Sec. 119. FOR THE SECRETARY OF STATE</u>	
12	General Fund--State Appropriation (FY 2012)	\$18,507,000
13	General Fund--State Appropriation (FY 2013)	\$15,925,000
14	General Fund--Federal Appropriation	\$7,393,000
15	Archives and Records Management Account--State	
16	Appropriation	\$8,007,000
17	Charitable Organization Education Account--State	
18	Appropriation	\$452,000
19	Department of Personnel Service Account--State	
20	Appropriation	\$773,000
21	Local Government Archives Account--State	
22	Appropriation	\$8,657,000
23	Election Account--Federal Appropriation	\$17,318,000
24	TOTAL APPROPRIATION	\$77,032,000

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

27 (1)(a) \$1,997,000 of the general fund--state appropriation for
28 fiscal year 2012 and \$2,076,000 of the general fund--state
29 appropriation for fiscal year 2013 are provided solely for contracting
30 with a nonprofit organization to produce gavel-to-gavel television
31 coverage of state government deliberations and other events of
32 statewide significance during the 2011-2013 biennium. The funding
33 level for each year of the contract shall be based on the amount
34 provided in this subsection. The nonprofit organization shall be
35 required to raise contributions or commitments to make contributions,

1 in cash or in kind, in an amount equal to forty percent of the state
2 contribution. The office of the secretary of state may make full or
3 partial payment once all criteria in this subsection have been
4 satisfactorily documented.

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

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

14 (2) No portion of any amounts disbursed pursuant to subsection (1)
15 of this section may be used, directly or indirectly, for any of the
16 following purposes:

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

23 (b) Making contributions reportable under chapter 42.17 RCW; or

24 (c) Providing any: (i) Gift; (ii) honoraria; or (iii) travel,
25 lodging, meals, or entertainment to a public officer or employee.

26 NEW SECTION. **Sec. 120. FOR THE GOVERNOR'S OFFICE OF INDIAN**
27 **AFFAIRS**

28	General Fund--State Appropriation (FY 2012)	\$245,000
29	General Fund--State Appropriation (FY 2013)	\$252,000
30	TOTAL APPROPRIATION	\$497,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: The office shall assist the department of
33 enterprise services on providing the government-to-government training
34 sessions for federal, state, local, and tribal government employees.
35 The training sessions shall cover tribal historical perspectives, legal
36 issues, tribal sovereignty, and tribal governments. Costs of the
37 training sessions shall be recouped through a fee charged to the

1 participants of each session. The department of enterprise services
2 shall be responsible for all of the administrative aspects of the
3 training, including the billing and collection of the fees for the
4 training.

5 NEW SECTION. **Sec. 121. FOR THE STATE TREASURER**

6 State Treasurer's Service Account--State
7 Appropriation \$15,194,000

8 NEW SECTION. **Sec. 122. FOR THE CITIZENS' COMMISSION ON SALARIES**
9 **FOR ELECTED OFFICIALS**

10 General Fund--State Appropriation (FY 2012) \$158,000
11 General Fund--State Appropriation (FY 2013) \$196,000
12 TOTAL APPROPRIATION \$354,000

13 NEW SECTION. **Sec. 123. FOR THE ATTORNEY GENERAL**

14 General Fund--State Appropriation (FY 2012) \$4,912,000
15 General Fund--State Appropriation (FY 2013) \$4,876,000
16 General Fund--Federal Appropriation \$4,722,000
17 New Motor Vehicle Arbitration Account--State
18 Appropriation \$989,000
19 Legal Services Revolving Account--State
20 Appropriation \$204,168,000
21 Tobacco Prevention and Control Account--State
22 Appropriation \$270,000
23 TOTAL APPROPRIATION \$219,937,000

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

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

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

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

13 (4) The attorney general shall develop a set of best management
14 practices regarding the use of the staff of the office of the attorney
15 general by state agency clients. In coordination with these clients,
16 the attorney general will develop criteria for the use of legal
17 services, with the goal of eliminating unnecessary use of legal
18 services by state agencies. These efforts shall include actions to
19 make billing more transparent, including per-hour estimates of legal
20 service costs.

21 **NEW SECTION. Sec. 124. FOR THE DEPARTMENT OF COMMERCE**

22	General Fund--State Appropriation (FY 2012)	\$35,155,000
23	General Fund--State Appropriation (FY 2013)	\$35,895,000
24	General Fund--Federal Appropriation	\$269,652,000
25	General Fund--Private/Local Appropriation	\$6,036,000
26	Public Works Assistance Account--State Appropriation	\$2,975,000
27	County Research Services Account--State Appropriation	\$1,248,000
28	Drinking Water Assistance Administrative Account--State	
29	Appropriation	\$437,000
30	City and Town Research Services--State Appropriation	\$5,340,000
31	Lead Paint Account--State Appropriation	\$65,000
32	Building Code Council Account--State Appropriation	\$4,000
33	Home Security Fund Account--State Appropriation	\$17,398,000
34	Affordable Housing for All Account--State	
35	Appropriation	\$11,898,000
36	Financial Fraud and Identity Theft Crimes Investigation	
37	and Prosecution Account--State Appropriation	\$1,166,000

1	Low-Income Weatherization and Structural Rehab.	
2	Assistance Account--State Appropriation	\$5,772,000
3	Washington Community Technology Opportunity Account	
4	Appropriation	\$1,000,000
5	Manufacturing Innovation and Modernization Account--	
6	State Appropriation	\$61,000
7	Community and Economic Development Fee Account--	
8	State Appropriation	\$8,611,000
9	Washington Housing Trust Account--State	
10	Appropriation	\$15,345,000
11	Prostitution Prevention and Intervention Account--	
12	State Appropriation	\$94,000
13	Public Facility Construction Loan Revolving Account--	
14	State Appropriation	\$753,000
15	Washington Auto Theft Prevention Authority Account--	
16	State Appropriation	\$194,000
17	TOTAL APPROPRIATION	\$419,099,000

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

20 (1) \$2,229,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$2,228,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for a contract with the Washington
23 technology center for work essential to the mission of the Washington
24 technology center and conducted in partnership with universities.

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

32 (3) \$22,400,000 of the general fund--federal appropriation is
33 provided solely for the justice assistance grant program and is
34 contingent upon the department transferring: \$1,200,000 to the
35 department of corrections for security threat mitigation, \$2,336,000 to
36 the department of corrections for offender reentry, \$1,960,000 to the
37 Washington state patrol for law enforcement activities, \$2,087,000 to
38 the department of social and health services, division of alcohol and

1 substance abuse for drug courts, and \$428,000 to the department of
2 social and health services for sex abuse recognition training. The
3 remaining funds shall be distributed by the department to local
4 jurisdictions.

5 (4) During the 2011-2013 fiscal biennium, the department shall
6 allot all of its appropriations subject to allotment by object,
7 account, and expenditure authority code to conform with the office of
8 financial management's definition of an option 2 allotment. For those
9 funds subject to allotment but not appropriation, the agency shall
10 submit option 2 allotments to the office of financial management.

11 **NEW SECTION. Sec. 125. FOR THE OFFICE OF THE FORECAST COUNCILS**

12	General Fund--State Appropriation (FY 2012)	\$1,358,000
13	General Fund--State Appropriation (FY 2013)	\$1,410,000
14	Lottery Administrative Account--State Appropriation	\$50,000
15	TOTAL APPROPRIATION	\$2,818,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$50,000 of the lottery administrative
18 account--state appropriation is provided solely for the office of the
19 forecast councils to conduct an independent forecast of total net
20 revenue from the state lottery in its quarterly revenue forecasts.

21 **NEW SECTION. Sec. 126. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

22	General Fund--State Appropriation (FY 2012)	\$19,413,000
23	General Fund--State Appropriation (FY 2013)	\$19,297,000
24	General Fund--Federal Appropriation	\$31,562,000
25	General Fund--Private/Local Appropriation	\$1,270,000
26	Economic Development Strategic Reserve Account--	
27	State Appropriation	\$285,000
28	Department of Personnel Service Account Appropriation	\$9,069,000
29	Data Processing Revolving Account Appropriation	\$5,208,000
30	Higher Education Personnel Services Account Appropriation	\$1,613,000
31	Performance Audits of Government Account--State	
32	Appropriation	\$25,000
33	TOTAL APPROPRIATION	\$87,742,000

34 **NEW SECTION. Sec. 127. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**
35 Administrative Hearings Revolving Account--State

1 Appropriation \$33,940,000

2 NEW SECTION. **Sec. 128. FOR THE WASHINGTON STATE LOTTERY**

3 Lottery Administrative Account--State Appropriation \$26,825,000

4 NEW SECTION. **Sec. 129. FOR THE DEPARTMENT OF RETIREMENT**
5 **SYSTEMS--OPERATIONS**

6 Department of Retirement Systems Expense Account--

7 State Appropriation \$47,337,000

8 NEW SECTION. **Sec. 130. FOR THE DEPARTMENT OF REVENUE**

9 General Fund--State Appropriation (FY 2012) \$107,647,000

10 General Fund--State Appropriation (FY 2013) \$107,340,000

11 Timber Tax Distribution Account--State Appropriation \$6,038,000

12 Waste Reduction/Recycling/Litter Control--State

13 Appropriation \$133,000

14 Vehicle License Fraud Account--State Appropriation \$5,000

15 Waste Tire Removal Account--State Appropriation \$2,000

16 State Toxics Control Account--State Appropriation \$89,000

17 Oil Spill Prevention Account--State Appropriation \$19,000

18 TOTAL APPROPRIATION \$221,273,000

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$1,639,000 of the general fund--state
21 appropriation for fiscal year 2012 and \$1,549,000 of the general fund--
22 state appropriation for fiscal year 2013 are for the implementation of
23 revenue enhancement strategies. The strategies must include increased
24 out-of-state auditing and compliance, the purchase of third-party data
25 sources for enhanced audit selection, and increased traditional
26 auditing and compliance efforts.

27 NEW SECTION. **Sec. 131. FOR THE STATE INVESTMENT BOARD**

28 State Investment Board Expense Account--State

29 Appropriation \$29,614,000

30 The appropriation in this section is subject to the following
31 conditions and limitations: The state investment board shall include
32 the complete biennial salary survey required under RCW 43.33A.100 to
33 the office of financial management and to the fiscal committees of the

1 legislature as part of the state investment board's biennial budget
2 submittal.

3 NEW SECTION. **Sec. 132. FOR THE BOARD OF TAX APPEALS**

4 General Fund--State Appropriation (FY 2012) \$1,281,000
5 General Fund--State Appropriation (FY 2013) \$1,255,000
6 TOTAL APPROPRIATION \$2,536,000

7 NEW SECTION. **Sec. 133. FOR THE DEPARTMENT OF INFORMATION**
8 **SERVICES**

9 General Fund--Private/Local Appropriation \$356,000

10 NEW SECTION. **Sec. 134. FOR THE INSURANCE COMMISSIONER**

11 General Fund--Federal Appropriation \$4,465,000
12 Insurance Commissioners Regulatory Account--State
13 Appropriation \$48,246,000
14 TOTAL APPROPRIATION \$52,711,000

15 NEW SECTION. **Sec. 135. FOR THE BOARD OF ACCOUNTANCY**

16 Certified Public Accountants' Account--State
17 Appropriation \$2,836,000

18 NEW SECTION. **Sec. 136. FOR THE FORENSIC INVESTIGATION COUNCIL**

19 Death Investigations Account--State Appropriation \$280,000

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

28 NEW SECTION. **Sec. 137. FOR THE HORSE RACING COMMISSION**

29 Horse Racing Commission Operating Account--State
30 Appropriation \$4,049,000

1 NEW SECTION. **Sec. 138. FOR THE LIQUOR CONTROL BOARD**

2	General Fund--Federal Appropriation	\$120,000
3	Liquor Control Board Construction and Maintenance	
4	Account--State Appropriation	\$10,081,000
5	Liquor Revolving Account--State Appropriation	\$162,200,000
6	TOTAL APPROPRIATION	\$172,401,000

7 NEW SECTION. **Sec. 139. FOR THE UTILITIES AND TRANSPORTATION**
8 **COMMISSION**

9	General Fund--Federal Appropriation	\$502,000
10	General Fund--Private/Local Appropriation	\$11,197,000
11	Public Service Revolving Account--State Appropriation	\$30,971,000
12	Pipeline Safety Account--State Appropriation	\$3,210,000
13	Pipeline Safety Account--Federal Appropriation	\$2,872,000
14	TOTAL APPROPRIATION	\$48,752,000

15 NEW SECTION. **Sec. 140. FOR THE MILITARY DEPARTMENT**

16	General Fund--State Appropriation (FY 2012)	\$8,203,000
17	General Fund--State Appropriation (FY 2013)	\$8,180,000
18	General Fund--Federal Appropriation	\$159,770,000
19	Enhanced 911 Account--State Appropriation	\$46,593,000
20	Disaster Response Account--State Appropriation	\$17,984,000
21	Disaster Response Account--Federal Appropriation	\$66,266,000
22	Military Department Rent and Lease Account--State	
23	Appropriation	\$615,000
24	Worker and Community Right-to-Know Account--State	
25	Appropriation	\$1,971,000
26	TOTAL APPROPRIATION	\$309,582,000

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

29 (1) \$17,984,000 of the disaster response account--state
30 appropriation and \$66,266,000 of the disaster response account--federal
31 appropriation may be spent only on disasters declared by the governor
32 and with the approval of the office of financial management. The
33 military department shall submit a report to the office of financial
34 management and the legislative fiscal committees on October 1st and
35 February 1st of each year detailing information on the disaster
36 response account, including: (a) The amount and type of deposits into

1 the account; (b) the current available fund balance as of the reporting
2 date; and (c) the projected fund balance at the end of the 2011-2013
3 biennium based on current revenue and expenditure patterns.

4 (2) \$75,000,000 of the general fund--federal appropriation is
5 provided solely for homeland security, subject to the following
6 conditions:

7 (a) Any communications equipment purchased by local jurisdictions
8 or state agencies shall be consistent with standards set by the
9 Washington state interoperability executive committee; and

10 (b) The department shall submit an annual report to the office of
11 financial management and the legislative fiscal committees detailing
12 the governor's domestic security advisory group recommendations;
13 homeland security revenues and expenditures, including estimates of
14 total federal funding for the state; and incremental changes from the
15 previous estimate.

16 NEW SECTION. **Sec. 141. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**
17 **AND RESERVE OFFICERS**

18 Volunteer Firefighters' and Reserve Officers'
19 Administrative Account--State Appropriation \$1,064,000

20 NEW SECTION. **Sec. 142. FOR THE PUBLIC EMPLOYMENT RELATIONS**
21 **COMMISSION**

22 General Fund--State Appropriation (FY 2012) \$2,399,000
23 General Fund--State Appropriation (FY 2013) \$2,449,000
24 Department of Personnel Service Account--State
25 Appropriation \$3,370,000
26 Higher Education Personnel Services Account--State
27 Appropriation \$255,000
28 TOTAL APPROPRIATION \$8,473,000

29 NEW SECTION. **Sec. 143. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
30 **HISTORIC PRESERVATION**

31 General Fund--State Appropriation (FY 2012) \$1,658,000
32 General Fund--Federal Appropriation \$587,000
33 General Fund--Private/Local Appropriation \$7,000
34 TOTAL APPROPRIATION \$2,252,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: Appropriations in this section are for
3 fiscal year 2012. Appropriations for fiscal year 2013 are in section
4 308 of this act.

5 NEW SECTION. **Sec. 144. FOR THE OFFICE OF CIVIL RIGHTS**

6	General Fund--State Appropriation (FY 2012)	\$2,787,000
7	General Fund--State Appropriation (FY 2013)	\$2,774,000
8	General Fund--Federal Appropriation	\$1,958,000
9	OMWBE Enterprise Account--State Appropriation	\$3,354,000
10	TOTAL APPROPRIATION	\$10,873,000

11 The appropriations in this section are subject to the following
12 conditions and limitations: The appropriations in this section are
13 contingent upon the enactment of House Bill No. or Senate Bill No.
14 (executive request legislation Z-..../11, creating the office of
15 civil rights).

16 NEW SECTION. **Sec. 145. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

17	General Fund--State Appropriation (FY 2012)	\$4,149,000
18	General Fund--State Appropriation (FY 2013)	\$4,144,000
19	General Fund--Federal Appropriation	\$181,000
20	General Fund--Private/Local Appropriation	\$168,000
21	Building Code Council Account	\$1,183,000
22	State Efficiency and Restructuring Account	\$7,000,000
23	Department of Personnel Service Account	\$10,218,000
24	General Administration Service Account	\$27,524,000
25	TOTAL APPROPRIATION	\$54,567,000

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

28 (1) The appropriations in this section are contingent upon the
29 passage of House Bill No. or Senate Bill No. (creating the
30 department of enterprise services).

31 (2) The department shall coordinate with the governor's office of
32 Indian affairs on providing the government-to-government training
33 sessions for federal, state, local, and tribal government employees.
34 The training sessions shall cover tribal historical perspectives, legal
35 issues, tribal sovereignty, and tribal governments. Costs of the
36 training sessions shall be recouped through a fee charged to the

1 participants of each session. The department shall be responsible for
2 all of the administrative aspects of the training, including the
3 billing and collections of the fees for the training.

4 (3) \$3,267,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$3,267,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for the payment of facilities and
7 services charges, utilities and contracts charges, public and historic
8 facilities charges, and capital projects surcharges allocable to the
9 senate, house of representatives, statute law committee, and joint
10 legislative systems committee. The department shall allocate charges
11 attributable to these agencies among the affected revolving funds. The
12 department shall maintain an interagency agreement with these agencies
13 to establish performance standards, prioritization of preservation and
14 capital improvement projects, and quality assurance provisions for the
15 delivery of services under this subsection.

16 (4) \$7,000,000 of the state efficiency and restructuring account
17 appropriation is provided solely for reengineering financial business
18 processes, redesign of the state's chart of accounts, and development
19 of an implementation plan to replace the state's aging financial
20 systems with an enterprise resource planning system. Upon completion
21 of this project, the statewide financial systems staff in collaboration
22 with the state treasurer's office will establish a repayment schedule
23 to reimburse the state efficiency and restructuring account with
24 interest per RCW 43.79.515.

(End of part)

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PART II
HUMAN SERVICES

NEW SECTION. **Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) 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 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.

(4) The department is authorized to develop an integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population. Under this Washington medicaid integration partnership (WMIP), the department may combine and transfer such medicaid funds appropriated under sections 204, 206, 208, and 209 of this act as may

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

20 (5)(a) The appropriations to the department of social and health
21 services in this act shall be expended for the programs and in the
22 amounts specified in this act. However, after May 1, 2012, unless
23 specifically prohibited by this act, the department may transfer
24 general fund--state appropriations for fiscal year 2012 among programs
25 after approval by the director of financial management. However, the
26 department shall not transfer state moneys that are provided solely for
27 a specified purpose except as expressly provided in (b) of this
28 subsection.

29 (b) To the extent that transfers under (a) of this subsection are
30 insufficient to fund actual expenditures in excess of fiscal year 2012
31 caseload forecasts and utilization assumptions in the medical
32 assistance, long-term care, foster care, adoptions support, and child
33 support programs, the department may transfer state moneys that are
34 provided solely for a specified purpose. The department shall not
35 transfer funds, and the director of financial management shall not
36 approve the transfer, unless the transfer is consistent with the
37 objective of conserving, to the maximum extent possible, the
38 expenditure of state funds. The director of financial management shall

1 notify the appropriate fiscal committees of the senate and house of
 2 representatives in writing seven days prior to approving any allotment
 3 modifications or transfers under this subsection. The written
 4 notification shall include a narrative explanation and justification of
 5 the changes, along with expenditures and allotments by budget unit and
 6 appropriation, both before and after any allotment modifications or
 7 transfers.

8 (6) The legislature finds that medicaid payment rates, as
 9 calculated by the department pursuant to the appropriations in this
 10 act, bear a reasonable relationship to the costs incurred by
 11 efficiently and economically operated facilities for providing quality
 12 services and will be sufficient to enlist enough providers so that care
 13 and services are available to the extent that such care and services
 14 are available to the general population in the geographic area. The
 15 legislature finds that cost reports, payment data from the federal
 16 government, historical utilization, economic data, and clinical input
 17 constitute reliable data upon which to determine the payment rates.

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

20	General Fund--State Appropriation (FY 2012)	\$299,496,000
21	General Fund--State Appropriation (FY 2013)	\$301,869,000
22	General Fund--Federal Appropriation	\$469,843,000
23	General Fund--Private/Local Appropriation	\$1,377,000
24	Domestic Violence Prevention Account--State	
25	Appropriation	\$1,154,000
26	Home Security Fund Account--State Appropriation	\$7,874,000
27	TOTAL APPROPRIATION	\$1,081,613,000

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

30 (1) Within amounts provided for the foster care and adoption
 31 support programs, the department shall control reimbursement decisions
 32 for foster care and adoption support cases such that the aggregate
 33 average cost per case for foster care and for adoption support does not
 34 exceed the amounts assumed in the projected caseload expenditures.

35 (2) To ensure expenditures remain within available funds
 36 appropriated in this section as required by RCW 74.13A.005 and
 37 74.13A.020, the secretary shall not set the amount of any adoption

1 assistance payment or payments, made pursuant to RCW 26.33.320 and
2 74.13A.005 through 74.13A.080, to more than ninety percent of the
3 foster care maintenance payment for that child had he or she remained
4 in a foster family home during the same period. This subsection does
5 not apply to adoption assistance agreements in existence on the
6 effective date of this section.

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

9	General Fund--State Appropriation (FY 2012)	\$88,308,000
10	General Fund--State Appropriation (FY 2013)	\$88,092,000
11	General Fund--Federal Appropriation	\$702,000
12	General Fund--Private/Local Appropriation	\$1,908,000
13	Washington Auto Theft Prevention Authority	
14	Account--State Appropriation	\$196,000
15	Juvenile Accountability Incentive Account--Federal	
16	Appropriation	\$2,803,000
17	TOTAL APPROPRIATION	\$182,009,000

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

20 (1) \$331,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$331,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for deposit in the county criminal
23 justice assistance account for costs to the criminal justice system
24 associated with the implementation of chapter 338, Laws of 1997
25 (juvenile code revisions). The amounts provided in this subsection are
26 intended to provide funding for county adult court costs associated
27 with the implementation of chapter 338, Laws of 1997 and shall be
28 distributed in accordance with RCW 82.14.310.

29 (2) \$2,716,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$2,716,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for the implementation of chapter
32 338, Laws of 1997 (juvenile code revisions). The amounts provided in
33 this subsection are intended to provide funding for county impacts
34 associated with the implementation of chapter 338, Laws of 1997 and
35 shall be distributed to counties as prescribed in the current
36 consolidated juvenile services (CJS) formula.

1 (3) \$3,482,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$3,482,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely to implement community juvenile
4 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile
5 code revisions). Funds provided in this subsection may be used solely
6 for community juvenile accountability grants, administration of the
7 grants, and evaluations of programs funded by the grants.

8 (4) \$1,130,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$1,130,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely to implement alcohol and substance
11 abuse treatment programs for locally committed offenders. The juvenile
12 rehabilitation administration shall award these moneys on a competitive
13 basis to counties that submitted a plan for the provision of services
14 approved by the division of alcohol and substance abuse. The juvenile
15 rehabilitation administration shall develop criteria for evaluation of
16 plans submitted and a timeline for awarding funding and shall assist
17 counties in creating and submitting plans for evaluation.

18 (5) \$2,873,000 of the general fund--state appropriation for fiscal
19 year 2012 and \$2,873,000 of the general fund--state appropriation for
20 fiscal year 2013 are provided solely for grants to county juvenile
21 courts for the following programs identified by the Washington state
22 institute for public policy (institute) in its October 2006 report:
23 "Evidence-Based Public Policy Options to Reduce Future Prison
24 Construction, Criminal Justice Costs and Crime Rates": Functional
25 family therapy, multi-systemic therapy, aggression replacement training
26 and interagency coordination programs, or other programs with a
27 positive benefit-cost finding in the institute's report. County
28 juvenile courts shall apply to the juvenile rehabilitation
29 administration for funding for program-specific participation and the
30 administration shall provide grants to the courts consistent with the
31 per-participant treatment costs identified by the institute.

32 (6) \$1,287,000 of the general fund--state appropriation for fiscal
33 year 2012 and \$1,287,000 of the general fund--state appropriation for
34 fiscal year 2013 are provided solely for expansion of the following
35 treatments and therapies in juvenile rehabilitation administration
36 programs identified by the Washington state institute for public policy
37 in its October 2006 report: "Evidence-Based Public Policy Options to
38 Reduce Future Prison Construction, Criminal Justice Costs and Crime

1 Rates": Multidimensional treatment foster care, family integrated
2 transitions, and aggression replacement training. The administration
3 may concentrate delivery of these treatments and therapies at a limited
4 number of programs to deliver the treatments in a cost-effective
5 manner.

6 (7)(a) For the fiscal year ending June 30, 2013, the juvenile
7 rehabilitation administration shall administer a block grant, rather
8 than categorical funding, of consolidated juvenile service funds,
9 community juvenile accountability act grants, the chemical dependency
10 disposition alternative funds, the mental health disposition
11 alternative, and the sentencing disposition alternative for the purpose
12 of serving youth adjudicated in the juvenile justice system. In making
13 the block grant, the juvenile rehabilitation administration shall
14 follow the following formula and will prioritize evidence-based
15 programs and disposition alternatives and take into account juvenile
16 courts program-eligible youth in conjunction with the number of youth
17 served in each approved evidence-based program or disposition
18 alternative: (i) Thirty-seven and one-half percent for the at-risk
19 population of youth ten to seventeen years old; (ii) fifteen percent
20 for moderate and high-risk youth; (iii) twenty-five percent for
21 evidence-based program participation; (iv) seventeen and one-half
22 percent for minority populations; (v) three percent for the chemical
23 dependency disposition alternative; and (vi) two percent for the mental
24 health and sentencing dispositional alternatives. Funding for the
25 special sex offender disposition alternative (SSODA) shall not be
26 included in the block grant, but allocated on the average daily
27 population in juvenile courts. Funding for the evidence-based
28 expansion grants shall be excluded from the block grant formula. Funds
29 may be used for promising practices when approved by the juvenile
30 rehabilitation administration and juvenile courts, through the
31 community juvenile accountability act committee, based on the criteria
32 established in consultation with Washington state institute for public
33 policy and the juvenile courts.

34 (b) It is the intent of the legislature that the juvenile
35 rehabilitation administration phase the implementation of the formula
36 provided in subsection (1) of this section by including a stop-loss
37 formula of five percent in fiscal year 2012 and five percent in fiscal
38 year 2013. It is further the intent of the legislature that the

1 evidence-based expansion grants be incorporated into the block grant
2 formula by fiscal year 2013 and SSODA remain separate unless changes
3 would result in increasing the cost benefit savings to the state as
4 identified in (c) of this subsection.

5 (c) The juvenile rehabilitation administration and the juvenile
6 courts shall establish a block grant funding formula oversight
7 committee with equal representation from the juvenile rehabilitation
8 administration and the juvenile courts. The purpose of this committee
9 is to assess the ongoing implementation of the block grant funding
10 formula, utilizing data-driven decision making and the most current
11 available information. The committee will be cochaired by the juvenile
12 rehabilitation administration and the juvenile courts, who will also
13 have the ability to change members of the committee as needed to
14 achieve its purpose. Initial members will include one juvenile court
15 representative from the finance committee, the community juvenile
16 accountability act committee, the risk assessment quality assurance
17 committee, the executive board of the Washington association of
18 juvenile court administrators, the Washington state center for court
19 research, and a representative of the superior court judges
20 association; two representatives from the juvenile rehabilitation
21 administration headquarters program oversight staff, two
22 representatives of the juvenile rehabilitation administration regional
23 office staff, one representative of the juvenile rehabilitation
24 administration fiscal staff and a juvenile rehabilitation
25 administration division director. The committee may make changes to
26 the formula categories other than the evidence-based program and
27 disposition alternative categories if it is determined the changes will
28 increase statewide service delivery or effectiveness of evidence-based
29 program or disposition alternative resulting in increased cost benefit
30 savings to the state. Long-term cost benefit must be considered.
31 Percentage changes may occur in the evidence-based program or
32 disposition alternative categories of the formula should it be
33 determined the changes will increase evidence-based program or
34 disposition alternative delivery and increase the cost benefit to the
35 state. These outcomes will also be considered in determining when
36 evidence-based expansion or special sex offender disposition
37 alternative funds should be included in the block grant or left
38 separate.

1 (d) The juvenile courts and administrative office of the courts
2 shall be responsible for collecting and distributing information and
3 providing access to the data systems to the juvenile rehabilitation
4 administration and the Washington state institute for public policy
5 related to program and outcome data. The juvenile rehabilitation
6 administration and the juvenile courts will work collaboratively to
7 develop program outcomes that reinforce the greatest cost benefit to
8 the state in the implementation of evidence-based practices and
9 disposition alternatives.

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

12 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

13 General Fund--State Appropriation (FY 2012)	\$324,506,000
14 General Fund--State Appropriation (FY 2013)	\$329,905,000
15 General Fund--Federal Appropriation	\$459,186,000
16 General Fund--Private/Local Appropriation	\$17,604,000
17 Hospital Safety Net Assessment Account--State	
18 Appropriation	\$6,802,000
19 TOTAL APPROPRIATION	\$1,138,003,000

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

22 (a) \$104,994,000 of the general fund--state appropriation for
23 fiscal year 2012 and \$104,994,000 of the general fund--state
24 appropriation for fiscal year 2013 are provided solely for persons and
25 services not covered by the medicaid program.

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

32 (c) The department is authorized to continue to contract directly,
33 rather than through contracts with regional support networks, for
34 children's long-term inpatient facility services.

35 (d) \$1,529,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$1,529,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely to reimburse Pierce and Spokane
2 counties for the cost of conducting 180-day commitment hearings at the
3 state psychiatric hospitals.

4 (e) Regional support networks may use local funds to earn
5 additional federal medicaid match, provided the locally matched rate
6 does not exceed the upper-bound of their federally allowable rate
7 range, and provided that the enhanced funding is used only to provide
8 medicaid state plan or waiver services to medicaid clients.
9 Additionally, regional support networks may use a portion of the state
10 funds allocated in accordance with (a) of this subsection to earn
11 additional medicaid match, but only to the extent that the application
12 of such funds to medicaid services does not diminish the level of
13 crisis and commitment, community inpatient, residential care, and
14 outpatient services presently available to persons not eligible for
15 medicaid.

16 (2) INSTITUTIONAL SERVICES

17	General Fund--State Appropriation (FY 2012)	\$118,709,000
18	General Fund--State Appropriation (FY 2013)	\$117,662,000
19	General Fund--Federal Appropriation	\$149,280,000
20	General Fund--Private/Local Appropriation	\$62,456,000
21	TOTAL APPROPRIATION	\$448,107,000

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

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

27 (b) \$231,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$231,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for a community partnership
30 between western state hospital and the city of Lakewood to support
31 community policing efforts in the Lakewood community surrounding
32 western state hospital. The amounts provided in this subsection (2)(b)
33 are for the salaries, benefits, supplies, and equipment for one full-
34 time investigator, one full-time police officer, and one full-time
35 community service officer at the city of Lakewood.

36 (c) \$45,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$45,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for payment to the city of
2 Lakewood for police services provided by the city at western state
3 hospital and adjacent areas.

4 (d) \$200,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$200,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for support of the psychiatric
7 security review panel established pursuant to Senate Bill No. 6610.

8 (3) SPECIAL PROJECTS

9	General Fund--State Appropriation (FY 2012)	\$1,808,000
10	General Fund--State Appropriation (FY 2013)	\$1,813,000
11	General Fund--Federal Appropriation	\$2,682,000
12	TOTAL APPROPRIATION	\$6,303,000

13 (4) PROGRAM SUPPORT

14	General Fund--State Appropriation (FY 2012)	\$4,382,000
15	General Fund--State Appropriation (FY 2013)	\$4,203,000
16	General Fund--Federal Appropriation	\$7,060,000
17	General Fund--Private/Local Appropriation	\$928,000
18	TOTAL APPROPRIATION	\$16,573,000

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

21 (1) COMMUNITY SERVICES

22	General Fund--State Appropriation (FY 2012)	\$397,728,000
23	General Fund--State Appropriation (FY 2013)	\$404,830,000
24	General Fund--Federal Appropriation	\$689,215,000
25	General Fund--Private/Local Appropriation	\$526,000
26	TOTAL APPROPRIATION	\$1,492,299,000

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

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

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

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

3 (2) INSTITUTIONAL SERVICES

4	General Fund--State Appropriation (FY 2012)	\$87,422,000
5	General Fund--State Appropriation (FY 2013)	\$85,681,000
6	General Fund--Federal Appropriation	\$160,243,000
7	General Fund--Private/Local Appropriation	\$21,607,000
8	TOTAL APPROPRIATION	\$354,953,000

9 The appropriations in this subsection are subject to the following
10 conditions and limitations: Individuals receiving services as
11 supplemental security income (SSI) state supplemental payments shall
12 not become eligible for medical assistance under RCW 74.09.510 due
13 solely to the receipt of SSI state supplemental payments.

14 (3) PROGRAM SUPPORT

15	General Fund--State Appropriation (FY 2012)	\$1,420,000
16	General Fund--State Appropriation (FY 2013)	\$1,412,000
17	General Fund--Federal Appropriation	\$1,360,000
18	TOTAL APPROPRIATION	\$4,192,000

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

21	General Fund--State Appropriation (FY 2012)	\$792,024,000
22	General Fund--State Appropriation (FY 2013)	\$829,877,000
23	General Fund--Federal Appropriation	\$1,631,621,000
24	General Fund--Private/Local Appropriation	\$39,757,000
25	Traumatic Brain Injury Account--State Appropriation	\$3,392,000
26	TOTAL APPROPRIATION	\$3,296,671,000

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

29 (1) For purposes of implementing chapter 74.46 RCW, the weighted
30 average nursing facility payment rate shall not exceed \$162.15 for
31 fiscal year 2012 and shall not exceed \$163.28 for fiscal year 2013.
32 There will be no adjustments for economic trends and conditions in
33 fiscal years 2012 and 2013. The economic trends and conditions factor
34 or factors defined in the biennial appropriations act shall not be
35 compounded with the economic trends and conditions factor or factors
36 defined in any other biennial appropriations acts before applying it to

1 the component rate allocations established in accordance with chapter
2 74.46 RCW. When no economic trends and conditions factor for either
3 fiscal year is defined in a biennial appropriations act, no economic
4 trends and conditions factor or factors defined in any earlier biennial
5 appropriations act shall be applied solely or compounded to the
6 component rate allocations established in accordance with chapter 74.46
7 RCW.

8 (2) In accordance with chapter 74.46 RCW, the department shall
9 issue no certificates of capital authorization for either fiscal year
10 2012 or fiscal year 2013, and shall in either fiscal year 2012 or
11 fiscal year 2013 grant no rate add-ons to payment rates for capital
12 improvements not requiring a certificate of need and a certificate of
13 capital authorization.

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

20 (4) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and
21 43.135.055, the department is authorized to increase nursing facility,
22 boarding home, and adult family home fees as necessary to fully support
23 the actual costs of conducting the licensure, inspection, and
24 regulatory programs. The license fees may not exceed the department's
25 annual licensing and oversight activity costs and shall include the
26 department's cost of paying providers for the amount of the license fee
27 attributed to medicaid clients.

28 (a) The current annual license fee for nursing facilities shall be
29 increased to \$396 per bed beginning in fiscal year 2012 and \$415 per
30 bed beginning in fiscal year 2013.

31 (b) The current annual license fee for boarding homes shall be
32 increased to \$111 per bed beginning in fiscal year 2012 and \$110 per
33 bed beginning in fiscal year 2013.

34 (c) The current annual license fee for adult family homes shall be
35 increased to \$391 per bed beginning in fiscal year 2012 and \$381 per
36 bed beginning in fiscal year 2013.

37 (5) Individuals receiving services as supplemental security income

1 (SSI) state supplemental payments shall not become eligible for medical
2 assistance under RCW 74.09.510 due solely to the receipt of SSI state
3 supplemental payments.

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

6	General Fund--State Appropriation (FY 2012)	\$481,675,000
7	General Fund--State Appropriation (FY 2013)	\$489,750,000
8	General Fund--Federal Appropriation	\$1,125,343,000
9	General Fund--Private/Local Appropriation	\$30,592,000
10	TOTAL APPROPRIATION	\$2,127,360,000

11 The appropriations in this section are subject to the following
12 conditions and limitations: \$297,623,000 of the general fund--state
13 appropriation for fiscal year 2012, \$297,623,000 of the general fund--
14 state appropriation for fiscal year 2013, and \$684,268,000 of the
15 general fund--federal appropriation are provided solely for all
16 components of the WorkFirst program.

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

19	General Fund--State Appropriation (FY 2012)	\$81,783,000
20	General Fund--State Appropriation (FY 2013)	\$82,667,000
21	General Fund--Federal Appropriation	\$123,081,000
22	General Fund--Private/Local Appropriation	\$2,086,000
23	Criminal Justice Treatment Account--State	
24	Appropriation	\$17,755,000
25	Problem Gambling Account--State Appropriation	\$1,452,000
26	TOTAL APPROPRIATION	\$308,824,000

27 The appropriations in this section are subject to the following
28 conditions and limitations: Within the amounts appropriated in this
29 section, the department may contract with the University of Washington
30 and community-based providers for the provision of the parent-child
31 assistance program. For all contractors, indirect charges for
32 administering the program shall not exceed ten percent of the total
33 contract amount.

34 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**

1	SERVICES--VOCATIONAL REHABILITATION PROGRAM	
2	General Fund--State Appropriation (FY 2012)	\$11,393,000
3	General Fund--State Appropriation (FY 2013)	\$11,383,000
4	General Fund--Federal Appropriation	\$101,122,000
5	Telecommunications Devices for the Hearing and	
6	Speech Impaired--State Appropriation	\$2,471,000
7	TOTAL APPROPRIATION	\$126,369,000
8	<u>NEW SECTION.</u> Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH	
9	SERVICES--SPECIAL COMMITMENT PROGRAM	
10	General Fund--State Appropriation (FY 2012)	\$66,557,000
11	General Fund--State Appropriation (FY 2013)	\$66,558,000
12	TOTAL APPROPRIATION	\$133,115,000
13	<u>NEW SECTION.</u> Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH	
14	SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM	
15	General Fund--State Appropriation (FY 2012)	\$27,832,000
16	General Fund--State Appropriation (FY 2013)	\$27,372,000
17	General Fund--Federal Appropriation	\$40,309,000
18	General Fund--Private/Local Appropriation	\$716,000
19	TOTAL APPROPRIATION	\$96,229,000
20	<u>NEW SECTION.</u> Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH	
21	SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM	
22	General Fund--State Appropriation (FY 2012)	\$71,472,000
23	General Fund--State Appropriation (FY 2013)	\$67,989,000
24	General Fund--Federal Appropriation	\$59,701,000
25	TOTAL APPROPRIATION	\$199,162,000
26	<u>NEW SECTION.</u> Sec. 213. FOR THE STATE HEALTH CARE AUTHORITY	
27	General Fund--State Appropriation (FY 2012)	\$2,249,720,000
28	General Fund--State Appropriation (FY 2013)	\$2,400,696,000
29	General Fund--Federal Appropriation	\$5,537,662,000
30	General Fund--Private/Local Appropriation	\$51,378,000
31	Emergency Medical Services and Trauma Care Systems	
32	Trust Account--State Appropriation	\$15,079,000
33	State Health Care Authority Administration	
34	Account--State Appropriation	\$34,692,000

1	Medical Aid Account--State Appropriation	\$533,000
2	Hospital Safety Net Assessment Fund--State	
3	Appropriation	\$398,043,000
4	TOTAL APPROPRIATION	\$10,687,803,000

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

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

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

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

22 (4) In accordance with RCW 74.46.625, \$6,000,000 of the general
23 fund--federal appropriation is provided solely for supplemental
24 payments to nursing homes operated by public hospital districts. The
25 public hospital district shall be responsible for providing the
26 required nonfederal match for the supplemental payment, and the
27 payments shall not exceed the maximum allowable under federal rules.
28 It is the legislature's intent that the payments shall be supplemental
29 to and shall not in any way offset or reduce the payments calculated
30 and provided in accordance with part E of chapter 74.46 RCW. It is the
31 legislature's further intent that costs otherwise allowable for rate-
32 setting and settlement against payments under chapter 74.46 RCW shall
33 not be disallowed solely because such costs have been paid by revenues
34 retained by the nursing home from these supplemental payments. The
35 supplemental payments are subject to retrospective interim and final
36 cost settlements based on the nursing homes' as-filed and final
37 medicare cost reports. The timing of the interim and final cost
38 settlements shall be at the department's discretion. During either the

1 interim cost settlement or the final cost settlement, the department
2 shall recoup from the public hospital districts the supplemental
3 payments that exceed the medicaid cost limit and/or the medicare upper
4 payment limit. The department shall apply federal rules for
5 identifying the eligible incurred medicaid costs and the medicare upper
6 payment limit.

7 (5) \$2,216,000 of the general fund--federal appropriation,
8 \$1,108,000 of the general fund--state appropriation for fiscal year
9 2012, and \$1,108,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for grants to rural hospitals.
11 The department shall distribute the funds under a formula that provides
12 a relatively larger share of the available funding to hospitals that
13 (a) serve a disproportionate share of low-income and medically indigent
14 patients, and (b) have relatively smaller net financial margins, to the
15 extent allowed by the federal medicaid program.

16 (6) \$9,888,000 of the general fund--state appropriation for fiscal
17 year 2012, \$9,842,000 of the general fund--state appropriation for
18 fiscal year 2013, and \$19,730,000 of the general fund--federal
19 appropriation are provided solely for grants to nonrural hospitals.
20 The department shall distribute the funds under a formula that provides
21 a relatively larger share of the available funding to hospitals that
22 (a) serve a disproportionate share of low-income and medically indigent
23 patients, and (b) have relatively smaller net financial margins, to the
24 extent allowed by the federal medicaid program.

25 (7) The department shall continue the inpatient hospital certified
26 public expenditures program for the 2011-2013 biennium. The program
27 shall apply to all public hospitals, including those owned or operated
28 by the state, except those classified as critical access hospitals or
29 state psychiatric institutions. If the certified public expenditures
30 (CPE) program in its current form is no longer cost-effective to
31 maintain, the department shall submit a report to the governor and
32 legislature detailing cost-effective alternative uses of local, state,
33 and federal resources as a replacement for this program. During fiscal
34 year 2012 and fiscal year 2013, hospitals in the program shall be paid
35 and shall retain one hundred percent of the federal portion of the
36 allowable hospital cost for each medicaid inpatient fee-for-service
37 claim payable by medical assistance and one hundred percent of the
38 federal portion of the maximum disproportionate share hospital payment

1 allowable under federal regulations. Inpatient medicaid payments shall
2 be established using an allowable methodology that approximates the
3 cost of claims submitted by the hospitals. Payments made to each
4 hospital in the program in each fiscal year of the biennium shall be
5 compared to a baseline amount. The baseline amount will be determined
6 by the total of (a) the inpatient claim payment amounts that would have
7 been paid during the fiscal year had the hospital not been in the CPE
8 program based on the reimbursement rates developed, implemented, and
9 consistent with policies approved in the 2009-11 biennial operating
10 appropriations act (chapter 564, Laws of 2009) and in effect on July 1,
11 2009, (b) one half of the indigent assistance disproportionate share
12 hospital payment amounts paid to and retained by each hospital during
13 fiscal year 2005, and (c) all of the other disproportionate share
14 hospital payment amounts paid to and retained by each hospital during
15 fiscal year 2005 to the extent the same disproportionate share hospital
16 programs exist in the 2011-2013 biennium. If payments during the
17 fiscal year exceed the hospital's baseline amount, no additional
18 payments will be made to the hospital except the federal portion of
19 allowable disproportionate share hospital payments for which the
20 hospital can certify allowable match. If payments during the fiscal
21 year are less than the baseline amount, the hospital will be paid a
22 state grant equal to the difference between payments during the fiscal
23 year and the applicable baseline amount. Payment of the state grant
24 shall be made in the applicable fiscal year and distributed in monthly
25 payments. The grants will be recalculated and redistributed as the
26 baseline is updated during the fiscal year. The grant payments are
27 subject to an interim settlement within eleven months after the end of
28 the fiscal year. A final settlement shall be performed. To the extent
29 that either settlement determines that a hospital has received funds in
30 excess of what it would have received as described in this subsection,
31 the hospital must repay the excess amounts to the state when requested.
32 \$29,491,000 of the general fund--state appropriation for fiscal year
33 2012, of which \$6,570,000 is appropriated in section 204(1) of this
34 act, and \$28,257,000 of the general fund--state appropriation for
35 fiscal year 2013, of which \$6,570,000 is appropriated in section 204(1)
36 of this act, are provided solely for state grants for the participating
37 hospitals. CPE hospitals will receive the inpatient and outpatient
38 reimbursement rate restorations in section 9 and rate increases in

1 section 10(1)(b) of Engrossed Second Substitute House Bill No. 2956
2 (hospital safety net assessment) funded through the hospital safety net
3 assessment fund rather than through the baseline mechanism specified in
4 this subsection.

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

8 NEW SECTION. **Sec. 214. FOR THE BOARD OF INDUSTRIAL INSURANCE**
9 **APPEALS**

10 Worker and Community Right-to-Know Account--State

11	Appropriation	\$10,000
12	Accident Account--State Appropriation	\$18,067,000
13	Medical Aid Account--State Appropriation	\$18,067,000
14	TOTAL APPROPRIATION	\$36,144,000

15 NEW SECTION. **Sec. 215. FOR THE CRIMINAL JUSTICE TRAINING**
16 **COMMISSION**

17	General Fund--State Appropriation (FY 2012)	\$15,442,000
18	General Fund--State Appropriation (FY 2013)	\$15,448,000
19	General Fund--Federal Appropriation	\$456,000
20	General Fund--Private/Local Appropriation	\$1,504,000
21	Death Investigations Account--State Appropriation	\$148,000
22	Municipal Criminal Justice Assistance	
23	Account--State Appropriation	\$460,000
24	Washington Auto Theft Prevention Authority	
25	Account--State Appropriation	\$16,460,000
26	TOTAL APPROPRIATION	\$49,918,000

27 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF LABOR AND**
28 **INDUSTRIES**

29	General Fund--State Appropriation (FY 2012)	\$18,168,000
30	General Fund--State Appropriation (FY 2013)	\$19,099,000
31	General Fund--Federal Appropriation	\$10,100,000
32	Asbestos Account--State Appropriation	\$414,000
33	Electrical License Account--State Appropriation	\$37,581,000
34	Farm Labor Revolving Account--Private/Local	
35	Appropriation	\$28,000

1	Worker and Community Right-to-Know Account--State	
2	Appropriation	\$980,000
3	Public Works Administration Account--State	
4	Appropriation	\$5,612,000
5	Manufactured Home Installation Training	
6	Account--State Appropriation	\$155,000
7	Accident Account--State Appropriation	\$245,179,000
8	Accident Account--Federal Appropriation	\$13,622,000
9	Medical Aid Account--State Appropriation	\$238,180,000
10	Medical Aid Account--Federal Appropriation	\$3,186,000
11	Plumbing Certificate Account--State Appropriation	\$1,716,000
12	Pressure Systems Safety Account--State Appropriation	\$4,131,000
13	TOTAL APPROPRIATION	\$598,151,000

14 The appropriations in this section are subject to the following
15 conditions and limitations: Pursuant to RCW 43.135.055, the department
16 is authorized to increase fees related to factory assembled structures,
17 contractor registration, electricians, plumbers, asbestos removal,
18 boilers, elevators, and manufactured home installers. These increases
19 are necessary to support expenditures authorized in this section,
20 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW
21 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

22 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

23 (1) HEADQUARTERS

24	General Fund--State Appropriation (FY 2012)	\$2,001,000
25	General Fund--State Appropriation (FY 2013)	\$1,992,000
26	Charitable, Educational, Penal, and Reformatory	
27	Institutions Account--State Appropriation	\$10,000
28	TOTAL APPROPRIATION	\$4,003,000

29 (2) FIELD SERVICES

30	General Fund--State Appropriation (FY 2012)	\$5,045,000
31	General Fund--State Appropriation (FY 2013)	\$5,037,000
32	General Fund--Federal Appropriation	\$2,735,000
33	General Fund--Private/Local Appropriation	\$4,198,000
34	Veterans Innovations Program Account--State	
35	Appropriation	\$158,000
36	Veteran Estate Management Account--Private/Local	
37	Appropriation	\$1,097,000

1	TOTAL APPROPRIATION	\$18,270,000
2	(3) INSTITUTIONAL SERVICES	
3	General Fund--State Appropriation (FY 2012)	\$955,000
4	General Fund--State Appropriation (FY 2013)	\$573,000
5	General Fund--Federal Appropriation	\$60,109,000
6	General Fund--Private/Local Appropriation	\$32,532,000
7	TOTAL APPROPRIATION	\$94,169,000
8	<u>NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF HEALTH</u>	
9	General Fund--State Appropriation (FY 2012)	\$80,243,000
10	General Fund--State Appropriation (FY 2013)	\$79,459,000
11	General Fund--Federal Appropriation	\$535,031,000
12	General Fund--Private/Local Appropriation	\$149,195,000
13	Hospital Data Collection Account--State Appropriation	\$218,000
14	Health Professions Account--State Appropriation	\$90,110,000
15	Aquatic Lands Enhancement Account--State Appropriation	\$608,000
16	Emergency Medical Services and Trauma Care Systems	
17	Trust Account--State Appropriation	\$12,317,000
18	Safe Drinking Water Account--State Appropriation	\$2,854,000
19	Drinking Water Assistance Account--Federal	
20	Appropriation	\$23,130,000
21	Waterworks Operator Certification--State	
22	Appropriation	\$1,548,000
23	Drinking Water Assistance Administrative Account--State	
24	Appropriation	\$326,000
25	Biotoxin Account--State Appropriation	\$1,167,000
26	State Toxics Control Account--State Appropriation	\$3,729,000
27	Medical Test Site Licensure Account--State	
28	Appropriation	\$2,338,000
29	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
30	Community and Economic Development Fee Account--State	
31	Appropriation	\$596,000
32	Public Health Supplemental Account--Private/Local	
33	Appropriation	\$3,600,000
34	Accident Account--State Appropriation	\$308,000
35	Medical Aid Account--State Appropriation	\$54,000
36	Site Closure Account--State Appropriation	\$79,000
37	TOTAL APPROPRIATION	\$988,422,000

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

3 (1) In accordance with RCW 43.70.250 and 43.135.055, the department
4 is authorized to establish and raise fees in fiscal year 2012 as
5 necessary to meet the actual costs of conducting business and the
6 appropriation levels in this section. This authorization applies to
7 fees required for: The review of health care facility construction;
8 review of health facility requests for certificate of need; the
9 regulation and inspection of farm worker housing, hospital licensing,
10 in-home health service agencies, and producers of radioactive waste;
11 the regulation and inspection of shellfish sanitary control, and; fees
12 associated with the following professions: Dieticians and
13 nutritionists, occupational therapists, pharmacy, veterinarian,
14 orthotics and prosthetics, surgical technicians, nursing home
15 administrators, health care assistants, hearing and speech, psychology,
16 hypnotherapy, chiropractic.

17 (2) Appropriations for fiscal year 2013 include funding for
18 consolidation of the department of ecology's low-level radioactive
19 waste site use permit program in the department of health.

20 **NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF CORRECTIONS**

21 The appropriations to the department of corrections in this act
22 shall be expended for the programs and in the amounts specified herein.
23 However, after May 1, 2012, after approval by the director of financial
24 management and unless specifically prohibited by this act, the
25 department may transfer general fund--state appropriations for fiscal
26 year 2012 between programs. The department shall not transfer funds,
27 and the director of financial management shall not approve the
28 transfer, unless the transfer is consistent with the objective of
29 conserving, to the maximum extent possible, the expenditure of state
30 funds and not federal funds. The director of financial management
31 shall notify the appropriate fiscal committees of the senate and house
32 of representatives in writing seven days prior to approving any
33 deviations from appropriation levels. The written notification shall
34 include a narrative explanation and justification of the changes, along
35 with expenditures and allotments by budget unit and appropriation, both
36 before and after any allotment modifications or transfers.

1 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF CORRECTIONS**

2 (1) ADMINISTRATION AND SUPPORT SERVICES

3 General Fund--State Appropriation (FY 2012) \$56,389,000
4 General Fund--State Appropriation (FY 2013) \$55,506,000
5 TOTAL APPROPRIATION \$111,895,000

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

8 (a) Within funds appropriated in this section, the department shall
9 seek contracts for chemical dependency vendors to provide chemical
10 dependency treatment of offenders in corrections facilities, including
11 corrections centers and community supervision facilities, which have
12 demonstrated effectiveness in treatment of offenders and are able to
13 provide data to show a successful treatment rate.

14 (b) \$35,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$35,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for the support of a statewide
17 council on mentally ill offenders that includes as its members
18 representatives of community-based mental health treatment programs,
19 current or former judicial officers, and directors and commanders of
20 city and county jails and state prison facilities. The council will
21 investigate and promote cost-effective approaches to meeting the long-
22 term needs of adults and juveniles with mental disorders who have a
23 history of offending or who are at-risk of offending, including their
24 mental health, physiological, housing, employment, and job training
25 needs.

26 (2) CORRECTIONAL OPERATIONS

27 General Fund--State Appropriation (FY 2012) \$632,006,000
28 General Fund--State Appropriation (FY 2013) \$598,398,000
29 General Fund--Federal Appropriation \$3,664,000
30 General Fund--Private/Local Appropriation \$2,336,000
31 Washington Auto Theft Prevention Authority Account--State
32 Appropriation \$5,960,000
33 TOTAL APPROPRIATION \$1,242,364,000

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

36 (a) The department may expend funds generated by contractual
37 agreements entered into for mitigation of severe overcrowding in local

1 jails. Any funds generated in excess of actual costs shall be
2 deposited in the state general fund. Expenditures shall not exceed
3 revenue generated by such agreements and shall be treated as a recovery
4 of costs.

5 (b) During the 2011-2013 biennium, when contracts are established
6 or renewed for offender pay phone and other telephone services provided
7 to inmates, the department shall select the contractor or contractors
8 primarily based on the following factors: (i) The lowest rate charged
9 to both the inmate and the person paying for the telephone call; and
10 (ii) the lowest commission rates paid to the department, while
11 providing reasonable compensation to cover the costs of the department
12 to provide the telephone services to inmates and provide sufficient
13 revenues for the activities funded from the institutional welfare
14 betterment account.

15 (c) The Harborview medical center and the University of Washington
16 medical center shall provide inpatient and outpatient hospital services
17 to offenders confined in department of corrections facilities at a rate
18 no greater than the average rate that the department has negotiated
19 with other community hospitals in Washington state.

20 (3) COMMUNITY SUPERVISION

21 General Fund--State Appropriation (FY 2012)	\$134,047,000
22 General Fund--State Appropriation (FY 2013)	\$132,826,000
23 TOTAL APPROPRIATION	\$266,873,000

24 (4) CORRECTIONAL INDUSTRIES

25 General Fund--State Appropriation (FY 2012)	\$3,614,000
26 General Fund--State Appropriation (FY 2013)	\$3,604,000
27 TOTAL APPROPRIATION	\$7,218,000

28 The appropriations in this subsection are subject to the following
29 conditions and limitations: \$132,000 of the general fund--state
30 appropriation for fiscal year 2012 and \$132,000 of the general fund--
31 state appropriation for fiscal year 2013 are provided solely for
32 transfer to the jail industries board. The board shall use the amounts
33 provided only for administrative expenses, equipment purchases, and
34 technical assistance associated with advising cities and counties in
35 developing, promoting, and implementing consistent, safe, and efficient
36 offender work programs.

37 (5) INTERAGENCY PAYMENTS

1	General Fund--State Appropriation (FY 2012)	\$39,967,000
2	General Fund--State Appropriation (FY 2013)	\$37,019,000
3	TOTAL APPROPRIATION	\$76,986,000

4 The appropriations in this subsection are subject to the following
5 conditions and limitations:

6 (a) The state prison institutions may use funds appropriated in
7 this subsection to rent uniforms from correctional industries in
8 accordance with existing legislative mandates.

9 (b) The state prison medical facilities may use funds appropriated
10 in this subsection to purchase goods and supplies through hospital or
11 other group purchasing organizations when it is cost effective to do
12 so.

13 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF SERVICES FOR THE**
14 **BLIND**

15	General Fund--State Appropriation (FY 2012)	\$2,311,000
16	General Fund--State Appropriation (FY 2013)	\$2,292,000
17	General Fund--Federal Appropriation	\$19,281,000
18	General Fund--Private/Local Appropriation	\$30,000
19	TOTAL APPROPRIATION	\$23,914,000

20 NEW SECTION. **Sec. 222. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

21	General Fund--State Appropriation (FY)	\$138,000
22	General Fund--Federal Appropriation	\$268,400,000
23	General Fund--Private/Local Appropriation	\$34,285,000
24	Unemployment Compensation Administration	
25	Account--Federal Appropriation	\$364,185,000
26	Administrative Contingency Account--State	
27	Appropriation	\$20,409,000
28	Employment Service Administrative Account--State	
29	Appropriation	\$34,241,000
30	TOTAL APPROPRIATION	\$721,658,000

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

33 (1) \$40,325,000 of the unemployment compensation administration
34 account--federal appropriation is provided from amounts made available
35 to the state by section 903(d) and (f) of the social security act (Reed

1 act). This amount is authorized to continue current unemployment
2 insurance functions and department services to employers and job
3 seekers.

4 (2) \$35,584,000 of the unemployment compensation administration
5 account--federal appropriation is provided from amounts made available
6 to the state by section 903(d) and (f) of the social security act (Reed
7 act). This amount is authorized to fund the replacement of the
8 unemployment insurance tax information system (TAXIS) for the
9 employment security department.

(End of part)

PART III
NATURAL RESOURCES

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

General Fund--State Appropriation (FY 2012)	\$445,000
General Fund--State Appropriation (FY 2013)	\$0
General Fund--Federal Appropriation	\$16,000
General Fund--Private/Local Appropriation	\$445,000
TOTAL APPROPRIATION	\$906,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for fiscal year 2012. Appropriations for fiscal year 2013 are contained in section 302 of this act.

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

General Fund--State Appropriation (FY 2012)	\$53,189,000
General Fund--State Appropriation (FY 2013)	\$47,197,000
General Fund--Federal Appropriation	\$78,408,000
General Fund--Private/Local Appropriation	\$17,411,000
Special Grass Seed Burning Research Account--State Appropriation	\$3,000
Reclamation Revolving Account--State Appropriation	\$3,694,000
Flood Control Assistance Account--State Appropriation	\$1,968,000
State Emergency Water Projects Revolving Account--State Appropriation	\$270,000
Waste Reduction/Recycling/Litter Control--State Appropriation	\$14,604,000
State Drought Preparedness Account--State Appropriation	\$118,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$430,000
Freshwater Aquatic Algae Control Account--State Appropriation	\$511,000
Water Rights Tracking System Account--State Appropriation	\$46,000
Site Closure Account--State Appropriation	\$640,000
Wood Stove Education and Enforcement Account--State Appropriation	\$614,000
Worker and Community Right-to-Know Account--State	

1	Appropriation	\$1,699,000
2	Water Rights Processing Account--State Appropriation	\$5,692,000
3	State Toxics Control Account--State Appropriation	\$113,676,000
4	State Toxics Control Account--Private/Local	
5	Appropriation	\$978,000
6	Local Toxics Control Account--State Appropriation	\$27,538,000
7	Water Quality Permit Account--State Appropriation	\$38,307,000
8	Underground Storage Tank Account--State Appropriation	\$3,315,000
9	Biosolids Permit Account--State Appropriation	\$1,837,000
10	Hazardous Waste Assistance Account--State Appropriation	\$5,957,000
11	Air Pollution Control Account--State Appropriation	\$2,488,000
12	Oil Spill Prevention Account--State Appropriation	\$5,733,000
13	Air Operating Permit Account--State Appropriation	\$2,790,000
14	Freshwater Aquatic Weeds Account--State Appropriation	\$1,705,000
15	Oil Spill Response Account--State Appropriation	\$7,076,000
16	Metals Mining Account--State Appropriation	\$14,000
17	Pollution Liability Insurance Program Trust Account--	
18	State Appropriation	\$337,000
19	Water Pollution Control Revolving Account--State	
20	Appropriation	\$622,000
21	Water Pollution Control Revolving Account--Federal	
22	Appropriation	\$2,556,000
23	TOTAL APPROPRIATION	\$441,405,000

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

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

31 (2) Pursuant to RCW 43.135.055, the department is authorized to
32 increase the following fees as necessary to meet the actual costs of
33 conducting business and the appropriation levels in this section:
34 Wastewater discharge permit, not more than 4.34 percent in fiscal year
35 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not
36 more than 10 percent during the biennium; and air contaminate source
37 registration fee, not more than 36 percent during the biennium.

1 (3) If legislation consolidating the department of natural
2 resources' Washington conservation corps is not enacted by June 30,
3 2011, \$309,000 of the general fund--state appropriation for fiscal year
4 2012 and \$335,000 of the general fund--state appropriation for fiscal
5 year 2013 shall be transferred to the department of natural resources.

6 (4) Appropriations for fiscal year 2013 are included for
7 consolidation of the Columbia River gorge commission and the pollution
8 liability insurance agency into the department of ecology.

9 (5) Appropriations for fiscal year 2013 are included for
10 consolidation of the department of health's reclaimed water program
11 into the department of ecology.

12 (6) The appropriations in this section for the low-level
13 radioactive waste site use permit program are for fiscal year 2012.
14 Appropriations for fiscal year 2013 are contained in section 221 of
15 this act.

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

18	General Fund--State Appropriation (FY 2012)	\$10,000,000
19	General Fund--Federal Appropriation	\$3,053,000
20	Winter Recreation Program Account--State Appropriation	\$724,000
21	ORV and Nonhighway Vehicle Account--State Appropriation	\$127,000
22	Snowmobile Account--State Appropriation	\$2,326,000
23	Aquatic Lands Enhancement Account--State Appropriation	\$189,000
24	Parks Renewal and Stewardship Account--State	
25	Appropriation	\$55,127,000
26	Parks Renewal and Stewardship Account--Private/Local	
27	Appropriation	\$150,000
28	TOTAL APPROPRIATION	\$71,696,000

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

31 (1) \$10,000,000 of the general fund--state appropriation for fiscal
32 year 2012 is provided solely to assist state parks in its
33 implementation of a new fee structure. The goal of this structure is
34 to make the parks system self-supporting. By August 1, 2012, state
35 parks must submit a report to the office of financial management
36 detailing its progress toward this goal and outlining any additional
37 statutory changes needed for successful implementation.

1 (2) The appropriations in this section are for fiscal year 2012.
2 Appropriations for fiscal year 2013 are contained in section 312 of
3 this act.

4 NEW SECTION. **Sec. 304. FOR THE RECREATION AND CONSERVATION**
5 **FUNDING BOARD**

6	General Fund--State Appropriation (FY 2012)	\$1,000,000
7	General Fund--Federal Appropriation	\$1,645,000
8	General Fund--Private/Local Appropriation	\$125,000
9	Aquatic Lands Enhancement Account--State Appropriation	\$133,000
10	Vessel Response Account--State Appropriation	\$50,000
11	Firearms Range Account--State Appropriation	\$19,000
12	Recreation Resources Account--State Appropriation	\$1,500,000
13	NOVA Program Account--State Appropriation	\$451,000
14	TOTAL APPROPRIATION	\$4,923,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: The appropriations in this section are for
17 fiscal year 2012. Appropriations for fiscal year 2013 are contained in
18 section 312 of this act.

19 NEW SECTION. **Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE**
20 **HEARINGS OFFICE**

21	General Fund--State Appropriation (FY 2012)	\$2,462,000
22	General Fund--State Appropriation (FY 2013)	\$2,460,000
23	TOTAL APPROPRIATION	\$4,922,000

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

25	General Fund--State Appropriation (FY 2012)	\$7,094,000
26	General Fund--Federal Appropriation	\$590,000
27	TOTAL APPROPRIATION	\$7,684,000

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

30 (1) The conservation commission, in cooperation with all
31 conservation districts, will seek to minimize conservation district
32 overhead costs. These efforts may include merging conservation
33 districts along county lines.

34 (2) The appropriations in this section are for fiscal year 2012.

1 Appropriations for fiscal year 2013 are contained in section 309 of
2 this act.

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

4	General Fund--State Appropriation (FY 2012)	\$34,298,000
5	General Fund--Federal Appropriation	\$51,030,000
6	General Fund--Private/Local Appropriation	\$25,908,000
7	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$204,000
8	Aquatic Lands Enhancement Account--State Appropriation . . .	\$3,339,000
9	Recreational Fisheries Enhancement--State Appropriation . . .	\$1,932,000
10	Warm Water Game Fish Account--State Appropriation	\$1,159,000
11	Eastern Washington Pheasant Enhancement Account--State	
12	Appropriation	\$338,000
13	Aquatic Invasive Species Enforcement Account--State	
14	Appropriation	\$107,000
15	Aquatic Invasive Species Prevention Account--State	
16	Appropriation	\$444,000
17	State Wildlife Account--State Appropriation	\$45,577,000
18	Special Wildlife Account--State Appropriation	\$1,117,000
19	Special Wildlife Account--Federal Appropriation	\$1,715,000
20	Special Wildlife Account--Private/Local Appropriation	\$69,000
21	Wildlife Rehabilitation Account--State Appropriation	\$130,000
22	Regional Fisheries Enhancement Salmonid Recovery	
23	Account--Federal Appropriation	\$2,377,000
24	Oil Spill Prevention Account--State Appropriation	\$385,000
25	Oyster Reserve Land Account--State Appropriation	\$623,000
26	Hydraulic Project Approval Account--State	
27	Appropriation	\$1,256,000
28	TOTAL APPROPRIATION	\$172,008,000

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

31 (1) \$294,000 of the aquatic lands enhancement account--state
32 appropriation is provided solely for the implementation of hatchery
33 reform recommendations defined by the hatchery scientific review group.

34 (2) \$355,000 of the general fund--state appropriation for fiscal
35 year 2012 is provided solely for the department to continue a pilot
36 project with the Confederated Tribes of the Colville Reservation to
37 develop expanded recreational fishing opportunities on Lake Rufus Woods

1 and its northern shoreline and to conduct joint enforcement of lake
2 fisheries on Lake Rufus Woods and adjoining waters, pursuant to state
3 and tribal intergovernmental agreements developed under the Columbia
4 River water supply program. For the purposes of the pilot project:

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

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

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

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

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

21 (3) Prior to submitting its 2013-2015 biennial operating and
22 capital budget request related to state fish hatcheries to the office
23 of financial management, the department shall contract with the
24 hatchery scientific review group (HSRG) to review this request. This
25 review shall: (a) Determine if the proposed requests are consistent
26 with HSRG recommendations; (b) prioritize the components of the
27 requests based on their contributions to protecting wild salmonid
28 stocks and meeting the recommendations of the HSRG; and (c) evaluate
29 whether the proposed requests are being made in the most cost effective
30 manner. The department shall provide a copy of the HSRG review to the
31 office of financial management with their agency budget proposal.

32 (4) \$400,000 of the general fund--state appropriation for fiscal
33 year 2012 is provided solely for a state match to support the Puget
34 Sound nearshore partnership between the department and the U.S. army
35 corps of engineers.

36 (5) \$50,000 of the general fund--state appropriation for fiscal
37 year 2012 is provided solely for removal of derelict gear in Washington
38 waters.

1 (6) \$100,000 of the eastern Washington pheasant enhancement
2 account--state appropriation is provided solely for the department to
3 support efforts to enhance permanent and temporary pheasant habitat on
4 public and private lands in Grant, Franklin, and Adams counties. The
5 department may support efforts by entities including conservation
6 districts, nonprofit organizations, and landowners, and must require
7 such entities to provide significant nonstate matching resources, which
8 may be in the form of funds, material, or labor.

9 (7) Within the amounts appropriated in this section, the department
10 shall identify additional opportunities for partnerships in order to
11 keep fish hatcheries operational. Such partnerships shall aim to
12 maintain fish production and salmon recovery with less reliance on
13 state operating funds.

14 (8) By July 1, 2012, the department shall enter into an interagency
15 agreement with the department of natural resources to provide
16 enforcement services on state trust lands. The interagency agreement
17 shall describe service delivery expectations and costs. In the
18 agreement, the department shall define each agency's roles and
19 responsibilities. An agreement shall be submitted to the office of
20 financial management and the appropriate fiscal committees of the
21 legislature by September 1, 2011.

22 (9) By September 1, 2011, the department shall update its
23 interagency agreement dated September 30, 2010, with the department of
24 natural resources concerning land management services on the department
25 of fish and wildlife's wildlife conservation and recreation lands. The
26 update shall include rates and terms for services.

27 (10) Consistent with RCW 76.09.030(2), by July 1, 2012, the
28 department shall enter into an interagency agreement with the
29 department of natural resources for the purpose of integrating into the
30 forest practices application any additional information requirements to
31 protect fish life and fish habitat pursuant to chapter 77.55 RCW. The
32 agreement must include provisions that (a) ensure continued protection
33 of fish life and fish habitat, (b) ensure each state agency maintains
34 its existing regulatory authority, (c) provide for streamlined
35 permitting as a result of the integrated application, and (d) identify
36 further resource shifts necessary to implement the integrated forest
37 practices application. A draft agreement shall be submitted to the
38 office of financial management by September 1, 2011. If changes to the

1 agreement are requested by the office of financial management, the
2 changes shall be made and a second draft of the agreement shall be
3 submitted to the office of financial management by November 1, 2011.
4 The agreement shall not go into effect without prior office of
5 financial management approval.

6 (11) Prior to opening game management unit 490 to public hunting,
7 the department shall complete an environmental impact statement that
8 includes an assessment of how public hunting activities will impact the
9 ongoing protection of the public water supply.

10 (12) By July 1, 2012, the department shall enter into an
11 interagency agreement with the department of natural resources in order
12 to receive payment for costs related to work conducted on state trust
13 lands as part of the natural heritage program. An agreement shall be
14 submitted to the office of financial management and the fiscal
15 committees of the legislature by September 1, 2011.

16 (13) The appropriations in this section are for fiscal year 2012.
17 Appropriations for fiscal year 2013 are contained in section 312 of
18 this act.

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

20	General Fund--State Appropriation (FY 2012)	\$35,669,000
21	General Fund--State Appropriation (FY 2013)	\$36,208,000
22	General Fund--Federal Appropriation	\$28,960,000
23	General Fund--Private/Local Appropriation	\$2,339,000
24	Forest Development Account--State Appropriation	\$42,914,000
25	ORV and Nonhighway Vehicle Account--State Appropriation	\$4,459,000
26	Surveys and Maps Account--State Appropriation	\$2,377,000
27	Aquatic Lands Enhancement Account--State	
28	Appropriation	\$7,341,000
29	Resources Management Cost Account--State	
30	Appropriation	\$84,242,000
31	Surface Mining Reclamation Account--State	
32	Appropriation	\$3,524,000
33	Disaster Response Account--State Appropriation	\$5,000,000
34	Forest and Fish Support Account--State Appropriation	\$7,937,000
35	Aquatic Land Dredged Material Disposal Site	
36	Account--State Appropriation	\$842,000
37	Natural Resources Conservation Areas Stewardship	

1	Account--State Appropriation	\$34,000
2	State Toxics Control Account--State Appropriation	\$80,000
3	Air Pollution Control Account--State Appropriation	\$1,319,000
4	NOVA Program Account--State Appropriation	\$657,000
5	Derelict Vessel Removal Account--State Appropriation	\$1,763,000
6	Agricultural College Trust Management Account--State	
7	Appropriation	\$1,892,000
8	TOTAL APPROPRIATION	\$267,557,000

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

11 (1) \$977,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$915,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely for deposit into the agricultural
14 college trust management account and are provided solely to manage
15 approximately 70,700 acres of Washington State University's
16 agricultural college trust lands.

17 (2) \$10,037,000 of the general fund--state appropriation for fiscal
18 year 2012, \$10,037,000 of the general fund--state appropriation for
19 fiscal year 2013, and \$5,000,000 of the disaster response account--
20 state appropriation are provided solely for emergency fire suppression.
21 None of the general fund and disaster response account amounts provided
22 in this subsection may be used to fund agency indirect and
23 administrative expenses. Agency indirect and administrative costs
24 shall be allocated among the agency's remaining accounts and
25 appropriations. The department of natural resources shall submit a
26 quarterly report to the office of financial management and the
27 legislative fiscal committees detailing information on current and
28 planned expenditures from the disaster response account. This work
29 shall be done in coordination with the military department.

30 (3) \$4,000,000 of the forest and fish support account--state
31 appropriation is provided solely for adaptive management, monitoring,
32 and participation grants to tribes. If federal funding for this
33 purpose is reinstated, the amount provided in this subsection shall
34 lapse.

35 (4) \$333,000 of the forest and fish support account--state
36 appropriation is provided solely for adaptive management, monitoring,
37 and participation grants to nongovernmental organizations.

1 (5) \$487,000 of the general fund--state appropriation is provided
2 solely to fund interagency agreements with the department of ecology
3 and the department of fish and wildlife as part of the adaptive
4 management process.

5 (6) \$1,000,000 of the general fund--federal appropriation and
6 \$1,000,000 of the forest and fish support account--state appropriation
7 are provided solely for continuing scientific studies already underway
8 as part of the adaptive management process. Funds may not be used to
9 initiate new studies unless the department secures new federal funding
10 for the adaptive management process.

11 (7)(a) By July 1, 2012, the department shall enter into an
12 interagency agreement with the department of fish and wildlife for
13 enforcement services on lands managed by the department of natural
14 resources. The interagency agreement shall describe service delivery
15 expectations and costs. In the agreement, the department shall define
16 each agency's roles and responsibilities. A draft agreement shall be
17 submitted to the office of financial management and the appropriate
18 fiscal committees of the legislature by September 1, 2011.

19 (b) \$1,000,000 of the resource management cost account--state
20 appropriation and \$500,000 of the forest development account--state
21 appropriation are provided solely for implementation of this agreement.

22 (8) The department is authorized to increase the silviculture
23 burning permit fee in the 2011-2013 biennium as necessary to meet the
24 actual costs of conducting business.

25 (9) \$440,000 of the state general fund--state appropriation for
26 fiscal year 2012 and \$440,000 of the state general fund--state
27 appropriation for fiscal year 2013 are provided solely for forest work
28 crews that support correctional camps and are contingent upon
29 continuing operations of Naselle youth camp.

30 (10) By September 1, 2011, the department shall update its
31 interagency agreement dated September 30, 2010, with the department of
32 fish and wildlife concerning land management services on the department
33 of fish and wildlife's wildlife conservation and recreation lands. The
34 update shall include rates and terms for services.

35 (11)(a) Consistent with RCW 76.09.030(2), by July 1, 2012, the
36 department shall enter into an interagency agreement with the
37 department of fish and wildlife for the purpose of integrating into the
38 forest practices application any additional information requirements to

1 protect fish life and fish habitat pursuant to chapter 77.55 RCW. The
2 department of natural resources shall administer the integrated forest
3 practices applications. The agreement must include provisions that (i)
4 ensure continued protection of fish life and fish habitat, (ii) ensure
5 each state agency maintains its existing regulatory authority, (iii)
6 provide for streamlined permitting as a result of the integrated
7 application, and (iv) identify further resource shifts necessary to
8 implement the integrated forest practices application. A draft
9 agreement shall be submitted to the office of financial management by
10 September 1, 2011. If changes to the agreement are requested by the
11 office of financial management, the changes shall be made and a second
12 draft of the agreement shall be submitted to the office of financial
13 management by November 1, 2011. The agreement shall not go into effect
14 without prior office of financial management approval.

15 (b) If the approved office of financial management agreement is not
16 produced by June 30, 2012, \$225,000 of the general fund--state
17 appropriation for fiscal year 2013 shall be transferred to the
18 department of fish and wildlife.

19 (12)(a) By July 1, 2012, the department shall enter into an
20 interagency agreement with the department of fish and wildlife in order
21 to pay for costs related to work conducted by the department of fish
22 and wildlife on state trust lands as part of the natural heritage
23 program. An agreement shall be submitted to the office of financial
24 management and the fiscal committees of the legislature by September 1,
25 2011.

26 (b) \$27,000 of the resource management cost account--state
27 appropriation and \$155,200 of the forest development account--state
28 appropriation are provided solely for implementation of the interagency
29 agreement referenced in (a) of this subsection.

30 (13) Appropriations for fiscal year 2013 are included for
31 consolidation of the department of archaeology and historic
32 preservation into the department of natural resources.

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

34	General Fund--State Appropriation (FY 2012)	\$23,809,000
35	General Fund--State Appropriation (FY 2013)	\$30,431,000
36	General Fund--Federal Appropriation	\$23,684,000
37	General Fund--Private/Local Appropriation\$190,000

1	Aquatic Lands Enhancement Account--State	
2	Appropriation	\$2,091,000
3	State Toxics Control Account--State Appropriation	\$5,162,000
4	Water Quality Permit Account--State Appropriation	\$61,000
5	TOTAL APPROPRIATION	\$85,428,000

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

8 (1) The department shall, if public or private funds are available,
9 partner with eligible public and private entities with experience in
10 food collection and distribution to review funding sources for eight
11 full-time volunteers in the AmeriCorps VISTA program to conduct
12 outreach to local growers, agricultural donors, and community
13 volunteers. Public and private partners shall also be utilized to
14 coordinate gleaning unharvested tree fruits and fresh produce for
15 distribution to individuals throughout Washington state.

16 (2) \$12,808,445 of the general fund--state appropriation for fiscal
17 year 2012 and \$12,802,905 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for implementing the food
19 assistance program as defined in RCW 43.23.290.

20 (3) Appropriations for fiscal year 2013 are included for
21 consolidation of the state conservation commission into the department
22 of agriculture.

23 NEW SECTION. **Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY**
24 **INSURANCE PROGRAM**

25 Pollution Liability Insurance Program Trust

26	Account--State Appropriation	\$340,000
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27 The appropriations in this section are subject to the following
28 conditions and limitations: The appropriations in this section are for
29 fiscal year 2012. Appropriations for fiscal year 2013 are contained in
30 section 302 of this act.

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

32	General Fund--State Appropriation (FY 2012)	\$2,887,000
33	General Fund--State Appropriation (FY 2013)	\$2,855,000
34	General Fund--Federal Appropriation	\$9,600,000
35	Aquatic Lands Enhancement Account--State Appropriation	\$497,000
36	State Toxics Control Account--State Appropriation	\$706,000

1 TOTAL APPROPRIATION \$16,545,000

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

4 (1) \$706,000 of the state toxics control account--state
5 appropriation is provided solely for activities that contribute to
6 Puget Sound protection and recovery, including provision of independent
7 advice and assessment of the state's oil spill prevention,
8 preparedness, and response programs, including review of existing
9 activities and recommendations for any necessary improvements. The
10 partnership may carry out this function through an existing committee,
11 such as the ecosystem coordination board or the leadership council, or
12 may appoint a special advisory council. Because this is a unique
13 statewide program, the partnership may invite participation from
14 outside the Puget Sound region.

15 (2) Within the amounts appropriated in this section, the Puget
16 Sound partnership shall facilitate an ongoing monitoring consortium to
17 integrate monitoring efforts for storm water, water quality, watershed
18 health, and other indicators to enhance monitoring efforts in Puget
19 Sound.

20 NEW SECTION. **Sec. 312. FOR THE DEPARTMENT OF CONSERVATION AND**
21 **RECREATION**

22	General Fund--State Appropriation (FY 2013)	\$41,729,000
23	General Fund--Federal Appropriation	\$60,591,000
24	General Fund--Private/Local Appropriation	\$25,446,000
25	Winter Recreation Program Account--State	
26	Appropriation	\$1,042,000
27	ORV and Non-Highway Vehicle Account--State	
28	Appropriation	\$291,000
29	Snowmobile Account--State Appropriation	\$2,533,000
30	Aquatic Lands Enhancement Account--State	
31	Appropriation	\$3,921,000
32	Recreational Fisheries Enhancement Account--State	
33	Appropriation	\$1,647,000
34	Warm Water Game Fish Account--State Appropriation	\$1,935,000
35	Vessel Response Account--State Appropriation	\$50,000
36	Eastern Washington Pheasant Enhancement	
37	Account--State Appropriation	\$511,000

1	Aquatic Invasive Species Enforcement Account--State	
2	Appropriation	\$103,000
3	Aquatic Invasive Species Prevention Account--State	
4	Appropriation	\$288,000
5	State Wildlife Account--State Appropriation	\$51,443,000
6	Special Wildlife Account--State Appropriation	\$1,277,000
7	Special Wildlife Account--Federal Appropriation	\$1,714,000
8	Special Wildlife Account--Private/Local Appropriation	\$418,000
9	Firearms Range Account--State Appropriation	\$18,000
10	Wildlife Rehabilitation Account--State Appropriation	\$129,000
11	Regional Fisheries Enhancement Salmonid	
12	Recovery Account--State Appropriation	\$2,624,000
13	Oil Spill Prevention Account--State	
14	Appropriation	\$521,000
15	Recreation Resources Account--State Appropriation	\$1,500,000
16	Nonhighway and Off-Road Vehicle Activities	
17	Program Account--State Appropriation	\$449,000
18	Parks Renewal and Stewardship	
19	Account--State Appropriation	\$54,873,000
20	Parks Renewal and Stewardship	
21	Account--Private/Local Appropriation	\$150,000
22	Oyster Reserve Land Account--State Appropriation	\$302,000
23	Hydraulic Project Approval Account--State	
24	Appropriation	\$2,513,000
25	TOTAL APPROPRIATION	\$258,018,000

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

28 (1) Representatives of the department of fish and wildlife, the
29 state parks and recreation commission and the recreation and
30 conservation office shall create a transition plan for the creation of
31 the department of conservation and recreation. A draft plan shall be
32 submitted to the office of financial management no later than September
33 1, 2011. If changes to the plan are requested by the office of
34 financial management, the changes shall be made and a second draft of
35 the plan shall be submitted to the office of financial management by
36 November 1, 2011. The plan shall not take effect without prior office
37 of financial management approval. The plan must, at a minimum, address
38 the following issues: Specific anticipated consolidation savings,

1 including proposals to pay for one-time costs, opportunities and a
2 timeline for location consolidation, and additional statutory or budget
3 changes necessary to complete the consolidation process.

4 (2) Appropriations for fiscal year 2013 are included for
5 consolidation of the state parks and recreation commission, the
6 department of fish and wildlife, and the recreation and conservation
7 office into the department of conservation and recreation.

8 (3) \$422,000 of the general fund--state appropriation for fiscal
9 year 2013 is provided solely for the department to continue a pilot
10 project with the Confederated Tribes of the Colville Reservation to
11 develop expanded recreational fishing opportunities on Lake Rufus Woods
12 and its northern shoreline and to conduct joint enforcement of lake
13 fisheries on Lake Rufus Woods and adjoining waters, pursuant to state
14 and tribal intergovernmental agreements developed under the Columbia
15 River water supply program. For the purposes of the pilot project:

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

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

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

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

27 (e) The Colville Tribes have agreed to recognize a fishing license
28 issued under RCW 77.32.470 or 77.32.490 as satisfying the nontribal
29 member fishing permit requirements of Colville tribal law on the
30 reservation portion of the waters of Lake Rufus Woods and at designated
31 fishing areas on the north shore of Lake Rufus Woods.

32 (4) \$400,000 of the general fund--state appropriation for fiscal
33 year 2013 is provided solely for a state match to support the Puget
34 Sound nearshore partnership between the department and the U.S. army
35 corps of engineers.

36 (5) \$50,000 of the general fund--state appropriation for fiscal

1 year 2013 is provided solely for the removal of derelict gear in
2 Washington waters.

(End of part)

PART IV
TRANSPORTATION

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

4	General Fund--State Appropriation (FY 2012)	\$1,182,000
5	General Fund--State Appropriation (FY 2013)	\$1,414,000
6	Architects' License Account--State Appropriation	\$1,083,000
7	Professional Engineers' Account--State Appropriation	\$3,559,000
8	Real Estate Commission Account--State Appropriation	\$9,981,000
9	Master License Account--State Appropriation	\$16,096,000
10	Uniform Commercial Code Account--State Appropriation	\$3,178,000
11	Real Estate Education Program Account--State	
12	Appropriation	\$276,000
13	Real Estate Appraiser Commission Account--State	
14	Appropriation	\$1,704,000
15	Business and Professions Account--State	
16	Appropriation	\$15,747,000
17	Real Estate Research Account--State Appropriation	\$622,000
18	Geologists' Account--State Appropriation	\$52,000
19	Derelict Vessel Removal Account--State Appropriation	\$31,000
20	TOTAL APPROPRIATION	\$54,925,000

21 The appropriations in this section are subject to the following
22 conditions and limitations: Pursuant to RCW 43.135.055, the department
23 is authorized to increase fees for collection agencies, cosmetologists,
24 funeral directors, cemeteries, court reporters and appraisers. These
25 increases are necessary to support the expenditures authorized in this
26 section, consistent with RCW 43.24.086.

NEW SECTION. **Sec. 402. FOR THE STATE PATROL**

28	General Fund--State Appropriation (FY 2012)	\$41,320,000
29	General Fund--State Appropriation (FY 2013)	\$37,986,000
30	General Fund--Federal Appropriation	\$16,081,000
31	General Fund--Private/Local Appropriation	\$3,021,000
32	Death Investigations Account--State Appropriation	\$5,670,000
33	County Criminal Justice Assistance Account--State	
34	Appropriation	\$3,267,000
35	Municipal Criminal Justice Assistance Account--State	

1	Appropriation	\$1,315,000
2	Fire Service Trust Account--State Appropriation\$131,000
3	Vehicle License Fraud Account--State Appropriation\$21,000
4	Disaster Response Account--State Appropriation	\$8,002,000
5	Fire Service Training Account--State Appropriation	\$9,063,000
6	Aquatic Invasive Species Enforcement Account--State	
7	Appropriation\$54,000
8	State Toxics Control Account--State Appropriation\$506,000
9	Fingerprint Identification Account--State	
10	Appropriation	\$8,832,000
11	TOTAL APPROPRIATION	\$135,269,000

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

14 (1) \$200,000 of the fire service training account--state
15 appropriation is provided solely for two FTEs in the office of the
16 state director of fire protection to exclusively review K-12
17 construction documents for fire and life safety in accordance with the
18 state building code. The appropriation is to provide services only to
19 those districts that are located in counties without qualified review
20 capabilities.

21 (2) \$8,000,000 of the disaster response account--state
22 appropriation is provided solely for Washington state fire service
23 resource mobilization costs incurred in response to an emergency or
24 disaster authorized under RCW 43.43.960 and 43.43.964. The state
25 patrol shall submit a report quarterly to the office of financial
26 management and the legislative fiscal committees detailing information
27 on current and planned expenditures from this account. This work shall
28 be done in coordination with the military department.

29 (3) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,
30 the state patrol is authorized to increase the notary service fee in
31 fiscal year 2012 as necessary to meet the actual costs of conducting
32 business and the appropriation levels in this section.

(End of part)

PART V
EDUCATION

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

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only 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 explicit 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.

(2) To the maximum extent practicable, 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 attempt to seek legislative approval through the budget request process.

(3) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs 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. For the purposes of this part V, ALE programs are those defined by WAC 392-121-182 as in effect on December 1, 2010.

(4) 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.

NEW SECTION. **Sec. 502.** **FOR THE SUPERINTENDENT OF PUBLIC**
INSTRUCTION

General Fund--State Appropriation (FY 2012)	\$24,717,000
General Fund--State Appropriation (FY 2013)	\$22,630,000

1 General Fund--Federal Appropriation \$82,180,000
2 TOTAL APPROPRIATION \$129,527,000

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

5 (1) A maximum of \$15,404,000 of the general fund--state
6 appropriation for fiscal year 2012 and \$13,305,000 of the general
7 fund--state appropriation for fiscal year 2013 is for state agency
8 operations.

9 (a) \$10,128,000 of the general fund--state appropriation for fiscal
10 year 2012 and \$9,158,000 of the general fund--state appropriation for
11 fiscal year 2013 are provided solely for the operation and expenses of
12 the office of the superintendent of public instruction.

13 (i) Within the amounts provided in this subsection (1)(a), the
14 superintendent shall recognize the extraordinary accomplishments of
15 four students who have demonstrated a strong understanding of the
16 civics essential learning requirements to receive the Daniel J. Evans
17 civic education award.

18 (ii) Within amounts appropriated in this subsection (1)(a), the
19 office of the superintendent of public instruction, consistent with WAC
20 392-121-182 as in effect on December 1, 2010 (alternative learning
21 experience requirements) which requires documentation of alternative
22 learning experience student headcount and full-time equivalent
23 enrollment claimed for basic education funding, shall provide, monthly,
24 accurate monthly headcount and FTE enrollments for students in
25 alternative learning experience (ALE) programs as well as information
26 about resident and serving districts.

27 (iii) Within amounts provided in this subsection (1)(a), the state
28 superintendent of public instruction shall share best practices with
29 school districts regarding strategies for increasing efficiencies and
30 economies of scale in school district noninstructional operations
31 through shared service arrangements and school district cooperatives,
32 as well as other practices.

33 (b) \$364,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$336,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for research and development
36 activities associated with the development of options for new school
37 finance systems, including technical staff, reprogramming, and analysis
38 of alternative student funding formulae.

1 (c) \$851,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$851,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for the operation and expenses of
4 the state board of education, including basic education assistance
5 activities.

6 (d) \$1,752,000 of the general fund--state appropriation for fiscal
7 year 2012 and \$1,730,000 of the general fund--state appropriation for
8 fiscal year 2013 are provided solely to the professional educator
9 standards board for the following:

10 (i) \$952,000 in fiscal year 2012 and \$952,000 in fiscal year 2013
11 are for the operation and expenses of the Washington professional
12 educator standards board; and

13 (ii) \$712,000 of the general fund--state appropriation for fiscal
14 year 2012 and \$330,000 of the general fund--state appropriation for
15 fiscal year 2013 are for conditional scholarship loans and mentor
16 stipends provided through the alternative routes to certification
17 program administered by the professional educator standards board,
18 including the pipeline for paraeducators program and the retooling to
19 teach conditional loan programs.

20 (e) \$614,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$615,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for the creation of a statewide
23 data base of longitudinal student information.

24 (f) \$45,000 of the general fund--state appropriation for fiscal
25 year 2012 and \$45,000 of the general fund--state appropriation for
26 fiscal year 2013 are provided solely for the implementation of chapter
27 380, Laws of 2009 (enacting the interstate compact on educational
28 opportunity for military children).

29 (g) \$630,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$630,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for the implementation of chapter
32 542, Laws of 2009 (online learning).

33 (h) \$1,020,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$300,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for the implementation of chapter
36 236, Laws of 2010 (K-12 education funding).

37 (2) \$9,329,000 of the general fund--state appropriation for fiscal

1 year 2012, \$9,329,000 of the general fund--state appropriation for
2 fiscal year 2013, and \$55,890,000 of the general fund--federal
3 appropriation are for statewide programs.

4 (a) HEALTH AND SAFETY

5 (i) \$2,541,000 of the general fund--state appropriation for fiscal
6 year 2012 and \$2,541,000 of the general fund--state appropriation for
7 fiscal year 2013 are provided solely for a corps of nurses located at
8 educational service districts, as determined by the superintendent of
9 public instruction, to be dispatched to the most needy schools to
10 provide direct care to students, health education, and training for
11 school staff.

12 (ii) \$96,000 of the general fund--state appropriation for fiscal
13 year 2012 and \$96,000 of the general fund--state appropriation for
14 fiscal year 2013 are provided solely for a school safety training
15 program provided by the criminal justice training commission. The
16 commission, in collaboration with the school safety center advisory
17 committee, shall provide the school safety training for all school
18 administrators and school safety personnel, including school safety
19 personnel hired after the effective date of this section.

20 (iii) \$100,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$100,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for the school safety center in
23 the office of the superintendent of public instruction subject to the
24 following conditions and limitations:

25 (A) The safety center shall: Disseminate successful models of
26 school safety plans and cooperative efforts; provide assistance to
27 schools to establish a comprehensive safe school plan; select models of
28 cooperative efforts that have been proven successful; act as an
29 information dissemination and resource center when an incident occurs
30 in a school district either in Washington or in another state;
31 coordinate activities relating to school safety; review and approve
32 manuals and curricula used for school safety models and training; and
33 develop and maintain a school safety information web site.

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

37 (b) TECHNOLOGY

1 (i) \$1,571,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$1,570,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for K-20 telecommunications
4 network technical support in the K-12 sector to prevent system failures
5 and avoid interruptions in school utilization of the data processing
6 and video-conferencing capabilities of the network. These funds may be
7 used to purchase engineering and advanced technical support for the
8 network.

9 (ii) \$522,000 of the general fund--state appropriation for fiscal
10 year 2012 and \$523,000 of the general fund--state appropriation for
11 fiscal year 2013 are provided solely for implementing a comprehensive
12 data system to include financial, student, and educator data. The
13 office of the superintendent of public instruction will convene a data
14 governance group to create a comprehensive needs-requirement document,
15 conduct a gap analysis, and define operating rules and a governance
16 structure for K-12 data collections.

17 (c) GRANTS AND ALLOCATIONS

18 (i) \$675,000 of the general fund--state appropriation for fiscal
19 year 2012 and \$675,000 of the general fund--state appropriation for
20 fiscal year 2013 are provided solely for the Washington state achievers
21 scholarship program. The funds shall be used to support community
22 involvement officers that recruit, train, and match community volunteer
23 mentors with students selected as achievers scholars.

24 (ii) \$900,000 of the general fund--state appropriation for fiscal
25 year 2012 and \$900,000 of the general fund--state appropriation for
26 fiscal year 2013 are provided solely for contracting with a college
27 scholarship organization with expertise in conducting outreach to
28 students concerning eligibility for the Washington college bound
29 scholarship consistent with chapter 405, Laws of 2007.

30 (iii) \$2,924,000 of the general fund--state appropriation for
31 fiscal year 2012 and \$2,924,000 of the general fund--state
32 appropriation for fiscal year 2013 are provided solely for the
33 dissemination of the navigation 101 curriculum to all districts. The
34 funding shall support electronic student planning tools and software
35 for analyzing the impact of navigation 101 on student performance, as
36 well as grants to a maximum of one hundred school districts each year,
37 based on progress and need for the implementation of the navigation 101
38 program. The implementation grants shall be awarded to a cross-section

1 of school districts reflecting a balance of geographic and demographic
2 characteristics. Within the amounts provided, the office of the
3 superintendent of public instruction will create a navigation 101
4 accountability model to analyze the impact of the program.

5 NEW SECTION. **Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC**
6 **INSTRUCTION--FOR GENERAL APPORTIONMENT**

7	General Fund--State Appropriation (FY 2012)	\$5,358,678,000
8	General Fund--State Appropriation (FY 2013)	\$5,214,783,000
9	TOTAL APPROPRIATION	\$10,573,461,000

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

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

15 (b) For the 2011-12 and 2012-13 school years, the superintendent
16 shall allocate general apportionment funding to school districts as
17 provided in the funding formulas and salary schedules as provided in
18 the remainder of sections 503 and 504 of this act, excluding (c) of
19 this subsection.

20 (c) From July 1, 2011 to August 31, 2011, the superintendent shall
21 allocate general apportionment funding to school districts programs as
22 provided in sections 502 and 503 of the 2011 supplemental operating
23 budget (executive request legislation, Z-0373/11).

24 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

25 Allocations for certificated instructional staff salaries for the
26 2011-12 and 2012-13 school years are determined using formula-generated
27 staff units calculated pursuant to this subsection.

28 (a) Certificated instructional staff units, as defined in RCW
29 28A.150.410, shall be allocated to reflect the minimum class size
30 allocations, requirements, and school prototypes assumptions as
31 provided in RCW 28A.150.260. The superintendent shall adjust
32 allocations to school districts based on the districts full time
33 equivalent student enrollment in each grade.

34 (b) Additional certificated instructional staff units provided in
35 this subsection (2) that exceed the minimum requirements in RCW
36 28A.150.260 are enhancements outside the program of basic education.

1 (c) The superintendent shall base allocations for each level of
2 prototypical school on the following regular education average class
3 size of full-time equivalent students per teacher, except as provided
4 in (e) of this subsection:

5 General education class size:

6 Grade	RCW 28A.150.260
7 Grades K-3	25.23
8 Grade 4	27.00
9 Grades 5-6	27.00
10 Grades 7-8	28.53
11 Grades 9-12	28.74

12 The superintendent shall base allocations for career and technical
13 education (CTE) and skill center programs average class size as
14 provided in RCW 28A.150.260

15 (i) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning
16 period, expressed as a percentage of a teacher work day, is 13.42
17 percent in grades K-6, and 16.67 percent in grades 7-12.

18 (ii) High-poverty schools where more than fifty percent of the
19 students were eligible for free and reduced-price meals in the prior
20 school year are funded at the same class size as general education
21 student in the same grade; and

22 (iii) Laboratory science, advanced placement, and international
23 baccalaureate courses are funded at the same class size assumptions as
24 general education schools in the same grade; and

25 (d)(i) Funding for teacher librarians, school nurses, social
26 workers, school psychologists, and guidance counselors is allocated
27 based on the school prototypes as provided in RCW 28A.150.260 and is
28 considered certificated instructional staff, except as provided in
29 (d)(ii) of this subsection.

30 (ii) Students in approved career and technical education and skill
31 center programs generate certificated instructional staff units to
32 provide for the services of teacher librarians, school nurses, social
33 workers, school psychologists, and guidance counselors at the following
34 combined rate per 1000 students:

35 Career and Technical Education

1 students 2.02 per 1000 student FTE's
2 Skill Center students 2.36 per 1000 student FTE's

3 (3) ADMINISTRATIVE STAFF ALLOCATIONS

4 (a) Allocations for school building-level certificated
5 administrative staff salaries for the 2011-12 and 2012-13 school years
6 for general education students are determined using the formula-
7 generated staff units provided in RCW 28A.150.260, and adjusted based
8 on a district's full time equivalent (FTE) student enrollment in each
9 grade.

10 (b) Students in approved career and technical education and skill
11 center programs generate certificated school building-level
12 administrator staff units at per student rates that exceed the general
13 education rate in (a) of this subsection by the following percentages:

14 Career and Technical Education students 2.5 percent
15 Skill Center students 19.75 percent

16 (4) CLASSIFIED STAFF ALLOCATIONS

17 Allocations for classified staff units providing school building-
18 level and district-wide support services for the 2011-12 and 2012-13
19 school years are determined using the formula-generated staff units
20 provided in RCW 28A.150.260, and adjusted based on each district's full
21 time equivalent (FTE) student enrollment in each grade.

22 (5) CENTRAL OFFICE ALLOCATIONS

23 In addition to classified and administrative staff units allocated
24 in subsections (3) and (4) of this section, classified and
25 administrative staff units are provided for the 2011-12 and 2012-13
26 school year for the central office administrative costs of operating a
27 school district, at the following rates:

28 (a) The total central office staff units provided in this
29 subsection (5) are calculated by first multiplying the total number of
30 eligible certificated instructional, certificated administrative, and
31 classified staff units providing school-based or district-wide support
32 services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

33 (b) Of the central office staff units calculated in (a) of this
34 subsection, 74.53 percent are allocated as classified staff units, as
35 generated in subsection (4) of this section, and 25.47 percent shall be
36 allocated as administrative staff units, as generated in subsection (3)
37 of this section.

1 (c) Staff units generated as part of enhancements outside the
2 program of basic education to the minimum requirements of RCW
3 28A.150.260, and staff units generated by skill center and career-
4 technical students, are excluded from the total central office staff
5 units calculation in (a) of this subsection.

6 (d) For students in approved career-technical and skill center
7 programs, central office classified units are allocated at the same
8 staff unit per student rate as those generated for general education
9 students of the same grade in this subsection (5), and central office
10 administrative staff units are allocated at staff unit per student
11 rates that exceed the general education rate established for students
12 in the same grade in this subsection (5) by 3.69 percent for career and
13 technical education students, and 21.92 percent for skill center
14 students.

15 (6) FRINGE BENEFIT ALLOCATIONS

16 Fringe benefit allocations shall be calculated at a rate of 16.16
17 percent in the 2011-12 school year and 16.16 percent in the 2012-13
18 school year for certificated salary allocations provided under
19 subsections (2), (3), and (5) of this section, and a rate of 15.52
20 percent in the 2011-12 school year and 15.52 percent in the 2012-13
21 school year for classified salary allocations provided under
22 subsections (4) and (5) of this section.

23 (7) INSURANCE BENEFIT ALLOCATIONS

24 Insurance benefit allocations shall be calculated at the
25 maintenance rate specified in section 505(2) of this act, based on the
26 number of benefit units determined as follows:

27 (a) The number of certificated staff units determined in
28 subsections (2), (3), and (5) of this section; and

29 (b) The number of classified staff units determined in subsections
30 (4) and (5) of this section multiplied by 1.152. This factor is
31 intended to adjust allocations so that, for the purposes of
32 distributing insurance benefits, full-time equivalent classified
33 employees may be calculated on the basis of 1440 hours of work per
34 year, with no individual employee counted as more than one full-time
35 equivalent.

36 (8) MATERIALS, SUPPLIES, AND OTHER OPERATING COSTS (MSOC)
37 ALLOCATIONS

1 Funding is allocated on a per student full time equivalent basis
 2 for the maintenance, supplies, and other operating costs (MSOC)
 3 incurred by school districts, consistent with the requirements of RCW
 4 28A.150.260.

5 MSOC funding for general education students are allocated at the
 6 following per student rates:

8 MSOC RATES/STUDENT FTE

10 MSOC Component	2011-12	2012-13
	SCHOOL YEAR	SCHOOL YEAR
13 Technology	\$56.63	\$57.59
14 Utilities and Insurance	\$153.87	\$156.49
15 Curriculum and Textbooks	\$60.80	\$61.83
16 Other Supplies and Library Materials	\$129.08	\$131.27
17 Instructional Professional Development for Certificated and Classified Staff	\$9.40	\$9.56
18 Facilities Maintenance	\$76.23	\$77.52
19 Security and Central Office	\$52.81	\$53.71
20 TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$538.82	\$547.98

21 (b) Students in approved skill center programs generate per student
 22 FTE MSOC allocations which equal the rate for general education
 23 students calculated in (a) of this subsection, multiplied by a factor
 24 of 2.187.

25 (c) Students in approved exploratory and preparatory career and
 26 technical education programs generate a per student MSOC allocation
 27 that is equal to the rate for general education students calculated in
 28 (a) of this subsection, multiplied by a factor of 2.459.

29 (d) Students in laboratory science courses generate per student FTE
 30 MSOC allocations which equal the per student FTE rate for general
 31 education students established in (a) of this subsection.

32 (9) SUBSTITUTE TEACHER ALLOCATIONS

33 For the 2011-12 and 2012-13 school years, funding for substitute
 34 costs for classroom teachers is based on four (4) funded substitute

1 days per classroom teacher unit generated under subsection (2) of this
2 section, at a daily substitute rate of \$151.86.

3 (10) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND
4 NECESSARY PLANTS.

5 For small school districts and remote and necessary school plants
6 within any district which have been judged to be remote and necessary
7 by the state board of education, additional staff units are provided to
8 ensure a minimum level of staffing support. Additional classified,
9 administrative, and certificated instructional staff units provided to
10 districts in this subsection shall be reduced by the staff units
11 otherwise provided in subsections (2) through (5) of this section on a
12 per district basis.

13 (a) For districts enrolling not more than twenty-five average
14 annual full-time equivalent students in grades K-8, and for small
15 school plants within any school district which have been judged to be
16 remote and necessary by the state board of education and enroll not
17 more than twenty-five average annual full-time equivalent students in
18 grades K-8:

19 (i) For those enrolling no students in grades 7 and 8, 1.76
20 certificated instructional staff units and 0.24 certificated
21 administrative staff units for enrollment of not more than five
22 students, plus one-twentieth of a certificated instructional staff unit
23 for each additional student enrolled; and

24 (ii) For those enrolling students in grades 7 or 8, 1.68
25 certificated instructional staff units and 0.32 certificated
26 administrative staff units for enrollment of not more than five
27 students, plus one-tenth of a certificated instructional staff unit for
28 each additional student enrolled;

29 (b) For specified enrollments in districts enrolling more than
30 twenty-five but not more than one hundred average annual full-time
31 equivalent students in grades K-8, and for small school plants within
32 any school district which enroll more than twenty-five average annual
33 full-time equivalent students in grades K-8 and have been judged to be
34 remote and necessary by the state board of education:

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

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

4 (c) For districts operating no more than two high schools with
5 enrollments of less than three hundred average annual full-time
6 equivalent students, for enrollment in grades 9-12 in each such school,
7 other than alternative schools:

8 (i) For remote and necessary schools enrolling students in any
9 grades 9-12 but no more than twenty-five average annual full-time
10 equivalent students in grades K-12, four and one-half certificated
11 instructional staff units and one-quarter of a certificated
12 administrative staff unit;

13 (ii) For all other small high schools under this subsection, nine
14 certificated instructional staff units and one-half of a certificated
15 administrative staff unit for the first sixty average annual full-time
16 equivalent students, and additional staff units based on a ratio of
17 0.8732 certificated instructional staff units and 0.1268 certificated
18 administrative staff units per each additional forty-three and one-half
19 average annual full-time equivalent students;

20 (d) For each nonhigh school district having an enrollment of more
21 than seventy annual average full-time equivalent students and less than
22 one hundred eighty students, operating a grades K-8 program or a grades
23 1-8 program, an additional one-half of a certificated instructional
24 staff unit;

25 (e) For each nonhigh school district having an enrollment of more
26 than fifty annual average full-time equivalent students and less than
27 one hundred eighty students, operating a grades K-6 program or a grades
28 1-6 program, an additional one-half of a certificated instructional
29 staff unit;

30 (f)(i) For enrollments generating certificated staff unit
31 allocations under this subsection, one classified staff unit for each
32 2.94 certificated staff units allocated under such subsections;

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

37 (g) School districts receiving additional staff units to support
38 small student enrollments and remote and necessary plants under

1 subsection (10) of this section shall generate additional MSOC
2 allocations consistent with the nonemployee related costs (NERC)
3 allocation formula in place for the 2010-11 school year as provided
4 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental
5 budget), adjusted for annually for inflation.

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

15 (12)(a) The superintendent may distribute a maximum of \$4,891,000
16 outside the basic education formula during fiscal years 2012 and 2013
17 as follows:

18 (i) For fire protection for school districts located in a fire
19 protection district as now or hereafter established pursuant to chapter
20 52.04 RCW, a maximum of \$585,000 may be expended in fiscal year 2012
21 and a maximum of \$595,000 may be expended in fiscal year 2013;

22 (ii) A maximum of \$436,000 each fiscal year may be expended for
23 programs providing skills training for secondary students who are
24 enrolled in extended day school-to-work programs, as approved by the
25 superintendent of public instruction. The funds shall be allocated at
26 a rate not to exceed \$500 per full-time equivalent student enrolled in
27 those programs.

28 (iii) A maximum of \$2,839,000 for the 2011-12 and 2012-13 school
29 years for changes to districts' allocations resulting from the
30 implementation of the prototypical funding formula.

31 (13) \$206,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$210,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for school district emergencies as
34 certified by the superintendent of public instruction. At the close of
35 the fiscal year the superintendent of public instruction shall report
36 to the office of financial management and the appropriate fiscal
37 committees of the legislature on the allocations provided to districts
38 and the nature of the emergency.

1 (14) Amounts in this section include adjustments made by the
2 superintendent of public instruction for the repayment of financial
3 contingency funds allocated in fiscal year 2011, as specified in
4 section 501 of the 2011 supplemental budget (executive request bill Z-
5 . . .). For any amount allocated to a district in state fiscal year
6 2011, the superintendent of public instruction shall deduct in state
7 fiscal year 2012 from the district's general apportionment the amount
8 of the emergency contingency allocation and any earnings by the school
9 district on the investment of a temporary cash surplus due to the
10 emergency contingency allocation. Repayments or advances will be
11 accomplished by a reduction in the school district's apportionment
12 payments on or before June 30th of the school year following the
13 distribution of the emergency contingency allocation. All
14 disbursements, repayments, and outstanding allocations to be repaid of
15 the emergency contingency pool shall be reported to the office of
16 financial management and the appropriate fiscal committees of the
17 legislature on July 1st and January 1st of each year.

18 (15) Funding in this section is sufficient to fund a maximum of 1.6
19 FTE enrollment for skills center students pursuant to chapter 463, Laws
20 of 2007.

21 (16) If two or more school districts consolidate and each district
22 was receiving additional basic education formula staff units pursuant
23 to subsection (10) of this section, the following apply:

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

28 (b) For the fourth through eighth school years following
29 consolidation, the difference between the basic education formula staff
30 units received by the districts for the school year prior to
31 consolidation and the basic education formula staff units after
32 consolidation pursuant to subsection (10) of this section shall be
33 reduced in increments of twenty percent per year.

34 (17)(a) Indirect cost charges by a school district to approved
35 career and technical education middle and secondary programs shall not
36 exceed 15 percent of the combined basic education and career and
37 technical education program enhancement allocations of state funds.

1 Middle and secondary career and technical education programs are
2 considered separate programs for funding and financial reporting
3 purposes under this section.

4 (b) Career and technical education program full-time equivalent
5 enrollment shall be reported on the same monthly basis as the
6 enrollment for students eligible for basic support, and payments shall
7 be adjusted for reported career and technical education program
8 enrollments on the same monthly basis as those adjustments for
9 enrollment for students eligible for basic support.

10 NEW SECTION. **Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC**
11 **INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION**

12 (1) The following calculations determine the salaries used in the
13 state allocations for certificated instructional, certificated
14 administrative, and classified staff units as provided in RCW
15 28A.150.280 and under section 503 of this act:

16 (a) Salary allocations for certificated instructional staff units
17 are determined for each district by multiplying the district's
18 certificated instructional total base salary shown on LEAP Document 2
19 by the district's average staff mix factor for certificated
20 instructional staff in that school year, computed using LEAP document
21 1; and

22 (b) Salary allocations for certificated administrative staff units
23 and classified staff units for each district are determined based on
24 the district's certificated administrative and classified salary
25 allocation amounts shown on LEAP Document 2.

26 (2) For the purposes of this section:

27 (a) "LEAP Document 1" means the staff mix factors for certificated
28 instructional staff according to education and years of experience, as
29 developed by the legislative evaluation and accountability program
30 committee on December 12, 2010, at 7:18 hours; and

31 (b) "LEAP Document 2" means the school year salary allocations for
32 certificated administrative staff and classified staff and derived and
33 total base salaries for certificated instructional staff as developed
34 by the legislative evaluation and accountability program committee on
35 December 12, 2010, at 6:24 hours.

36 (3) Incremental fringe benefit factors are applied to salary
37 adjustments at a rate of 15.52 percent for school year 2011-12 and

1 15.52 percent for school year 2012-13 for certificated instructional
 2 and certificated administrative staff and 14.96 percent for school year
 3 2011-12 and 14.96 percent for the 2012-13 school year for classified
 4 staff.

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

8 Table Of Total Base Salaries For Certificated Instructional Staff
 9 For School Year 2011-12
 10 *** Education Experience ***

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

32 Table Of Total Base Salaries For Certificated Instructional Staff
 33 For School Year 2012-13

*** Education Experience ***

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

23 (b) During the 2011-12 and 2012-13 school years, the salary
 24 allocations for certificated instructional staff shall exclude the
 25 following:

- 26 (i) Any years of service earned after August 31, 2010;
- 27 (ii) Any educational credits earned after October 1, 2010,
 28 excluding certificated instructional staff meeting the criteria in
 29 (iii) of this subsection;
- 30 (iii) For certificated instructional staff with zero years of
 31 experience, districts shall recognize credits earned as of October 1,
 32 2010;
- 33 (iv) For certificated instructional staff receiving initial
 34 certification after October 1, 2010, districts shall recognize credits
 35 earned as of the date of approval of their Washington state
 36 instructional certificate.

1 (c) As used in this subsection, the column headings "BA+(N)" refer
2 to the number of credits earned since receiving the baccalaureate
3 degree.

4 (d) For credits earned after the baccalaureate degree but before
5 the masters degree, any credits in excess of forty-five credits may be
6 counted after the masters degree. Thus, as used in this subsection,
7 the column headings "MA+(N)" refer to the total of:

8 (i) Credits earned since receiving the masters degree; and

9 (ii) Any credits in excess of forty-five credits that were earned
10 after the baccalaureate degree but before the masters degree.

11 (5) For the purposes of this section:

12 (a) "BA" means a baccalaureate degree.

13 (b) "MA" means a masters degree.

14 (c) "PHD" means a doctorate degree.

15 (d) "Years of service" shall be calculated under the same rules
16 adopted by the superintendent of public instruction.

17 (e) "Credits" means college quarter hour credits and equivalent
18 in-service credits computed in accordance with RCW 28A.415.020 and
19 28A.415.023.

20 (6) No more than ninety college quarter-hour credits received by
21 any employee after the baccalaureate degree may be used to determine
22 compensation allocations under the state salary allocation schedule and
23 LEAP documents referenced in this part V, or any replacement schedules
24 and documents, unless:

25 (a) The employee has a masters degree; or

26 (b) The credits were used in generating state salary allocations
27 before January 1, 1992.

28 (7) The salary allocation schedules established in this section are
29 for allocation purposes only except as provided in RCW 28A.400.200(2).

30 NEW SECTION. **Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC**
31 **INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

32 (1)(a) Additional salary adjustments as necessary to fund the base
33 salaries for certificated instructional staff as listed for each
34 district in LEAP Document 2, defined in section 504(2)(b) of this act.
35 Allocations for these salary adjustments shall be provided to all
36 districts that are not grandfathered to receive salary allocations
37 above the statewide salary allocation schedule, and to certain

1 (1) \$3,000,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$3,000,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided for state matching money for federal
4 child nutrition programs.

5 (2) \$100,000 of the general fund--state appropriation for fiscal
6 year 2012 and \$100,000 of the 2013 fiscal year appropriation are
7 provided for summer food programs for children in low-income areas.

8 (3) \$59,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$59,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely to reimburse school districts for
11 school breakfasts served to students enrolled in the free or reduced
12 price meal program pursuant to chapter 287, Laws of 2005 (requiring
13 school breakfast programs in certain schools).

14 NEW SECTION. **Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC**
15 **INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS**

16	General Fund--State Appropriation (FY 2012)	\$625,574,000
17	General Fund--State Appropriation (FY 2013)	\$638,617,000
18	General Fund--Federal Appropriation	\$691,741,000
19	Education Legacy Trust Account--State Appropriation	\$109,902,000
20	TOTAL APPROPRIATION	\$2,065,834,000

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

23 (1) Funding for special education programs is provided on an excess
24 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
25 that special education students as a class receive their full share of
26 the general apportionment allocation accruing through sections 503 and
27 505 of this act. To the extent a school district cannot provide an
28 appropriate education for special education students under chapter
29 28A.155 RCW through the general apportionment allocation, it shall
30 provide services through the special education excess cost allocation
31 funded in this section.

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

1 (b) The superintendent of public instruction shall continue to
2 implement the full cost method of excess cost accounting, as designed
3 by the committee and recommended by the superintendent, pursuant to
4 section 501(1)(k), chapter 372, Laws of 2006.

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

8 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent
9 shall allocate funding to school district programs for special
10 education students as provided in RCW 28A.150.390.

11 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
12 allocate funding to school district programs for special education
13 students as provided in section 507 of the 2011 supplemental operating
14 budget (executive request legislation, Z-0373/11).

15 (5) The following applies throughout this section: The definitions
16 for enrollment and enrollment percent are as specified in RCW
17 28A.150.390(3). Each district's general fund--state funded special
18 education enrollment shall be the lesser of the district's actual
19 enrollment percent or 12.7 percent.

20 (6) At the request of any interdistrict cooperative of at least 15
21 districts in which all excess cost services for special education
22 students of the districts are provided by the cooperative, the maximum
23 enrollment percent shall be calculated in accordance with RCW
24 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate
25 rather than individual district units. For purposes of this
26 subsection, the average basic education allocation per full-time
27 equivalent student shall be calculated in the aggregate rather than
28 individual district units.

29 (7) To the extent necessary, \$67,279,000 of the general fund--state
30 appropriation and \$29,574,000 of the general fund--federal
31 appropriation are provided for safety net awards for districts with
32 demonstrated needs for special education funding beyond the amounts
33 provided in subsection (4) of this section. If the federal safety net
34 awards based on the federal eligibility threshold exceed the federal
35 appropriation in this subsection (7) in any fiscal year, the
36 superintendent shall expend all available federal discretionary funds
37 necessary to meet this need. At the conclusion of each school year,

1 the superintendent shall recover safety net funds that were distributed
2 prospectively but for which districts were not subsequently eligible.

3 (a) For the 2011-12 and 2012-13 school years, safety net funds
4 shall be awarded by the state safety net oversight committee as
5 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

6 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
7 operate the safety net oversight committee and shall award safety net
8 funds as provided in section 506 of the 2011 supplemental operating
9 budget (executive request legislation Z-0373/11).

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

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

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

25 (11) \$251,000 of the general fund--state appropriation for fiscal
26 year 2012 and \$251,000 of the general fund--state appropriation for
27 fiscal year 2013 are provided solely for two additional full-time
28 equivalent staff to support the work of the safety net committee and to
29 provide training and support to districts applying for safety net
30 awards.

31 (12) \$50,000 of the general fund--state appropriation for fiscal
32 year 2012, \$50,000 of the general fund--state appropriation for fiscal
33 year 2013, and \$100,000 of the general fund--federal appropriation
34 shall be expended to support a special education ombudsman program
35 within the office of superintendent of public instruction.

36 NEW SECTION. **Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC**

1 **INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS**

2	General Fund--State Appropriation (FY 2012)	\$7,796,000
3	General Fund--State Appropriation (FY 2013)	\$7,797,000
4	TOTAL APPROPRIATION	\$15,593,000

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

7 (1) The educational service districts shall continue to furnish
8 financial services required by the superintendent of public instruction
9 and RCW 28A.310.190 (3) and (4).

10 (2) \$1,589,000 of the general fund--state appropriation for fiscal
11 year 2012 and \$1,589,000 of the general fund--state appropriation for
12 fiscal year 2013 are provided solely for regional professional
13 development related to mathematics and science curriculum and
14 instructional strategies. Funding shall be distributed among the
15 educational service districts in the same proportion as distributions
16 in the 2007-2009 biennium. Each educational service district shall use
17 this funding solely for salary and benefits for a certificated
18 instructional staff with expertise in the appropriate subject matter
19 and in professional development delivery, and for travel, materials,
20 and other expenditures related to providing regional professional
21 development support.

22 (3) The educational service districts, at the request of the state
23 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may
24 receive and screen applications for school accreditation, conduct
25 school accreditation site visits pursuant to state board of education
26 rules, and submit to the state board of education post-site visit
27 recommendations for school accreditation. The educational service
28 districts may assess a cooperative service fee to recover actual plus
29 reasonable indirect costs for the purposes of this subsection.

30 NEW SECTION. **Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC**
31 **INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE**

32	General Fund--State Appropriation (FY 2012)	\$289,542,000
33	General Fund--State Appropriation (FY 2013)	\$298,845,000
34	TOTAL APPROPRIATION	\$588,387,000

35 The appropriations in this section are subject to the following
36 conditions and limitations: For purposes of RCW 84.52.0531, the

1 increase per full-time equivalent student is 3 percent from the 2010-11
2 school year to the 2011-12 school year and 5 percent from the 2011-12
3 school year to the 2012-13 school year.

4 NEW SECTION. **Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC**
5 **INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS**

6	General Fund--State Appropriation (FY 2012)	\$15,993,000
7	General Fund--State Appropriation (FY 2013)	\$15,721,000
8	TOTAL APPROPRIATION	\$31,714,000

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

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

14 (2) State funding provided under this section is based on salaries
15 and other expenditures for a 220-day school year. The superintendent
16 of public instruction shall monitor school district expenditure plans
17 for institutional education programs to ensure that districts plan for
18 a full-time summer program. During the 2011-12 and 2012-13 school
19 years, the salary allocations and subsequent compensation allocations
20 for certificated instructional staff shall exclude the following:

21 (a) Any years of service earned after August 31, 2010;

22 (b) Any educational credits earned after October 1, 2010, excluding
23 certificated instructional staff meeting the criteria in (c) of this
24 subsection;

25 (c) For certificated instructional staff with zero years of
26 experience, districts shall recognize credits earned as of October 1,
27 2010; and

28 (d) For certificated instructional staff receiving initial
29 certification after October 1, 2010, districts shall recognize credits
30 earned as of the date of approval of their Washington state
31 instructional certificate.

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

36 (4) The funded staffing ratios for education programs for juveniles

1 age 18 or less in department of corrections facilities shall be the
2 same as those provided in the 1997-99 biennium.

3 (5) \$228,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$228,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely to maintain at least one
6 certificated instructional staff and related support services at an
7 institution whenever the K-12 enrollment is not sufficient to support
8 one full-time equivalent certificated instructional staff to furnish
9 the educational program. The following types of institutions are
10 included: Residential programs under the department of social and
11 health services for developmentally disabled juveniles, programs for
12 juveniles under the department of corrections, programs for juveniles
13 under the juvenile rehabilitation administration, and programs for
14 juveniles operated by city and county jails.

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

17 NEW SECTION. **Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC**
18 **INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT**

19 General Fund--Federal Appropriation \$7,352,000

20 NEW SECTION. **Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC**
21 **INSTRUCTION--EDUCATION REFORM PROGRAMS**

22 General Fund--State Appropriation (FY 2012) \$54,763,000
23 General Fund--State Appropriation (FY 2013) \$90,631,000
24 General Fund--Federal Appropriation \$103,434,000
25 Education Legacy Trust Account--State Appropriation \$93,977,000
26 TOTAL APPROPRIATION \$342,805,000

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

29 (1) \$41,436,000 of the general fund--state appropriation for fiscal
30 year 2012, \$63,547,000 of the general fund--state appropriation for
31 fiscal year 2013, \$1,350,000 of the education legacy trust
32 account--state appropriation, and \$15,868,000 of the general fund--
33 federal appropriation are provided solely for development and
34 implementation of the Washington state assessment system, including:
35 (a) Development and implementation of retake assessments for high
36 school students who are not successful in one or more content areas and

1 (b) development and implementation of alternative assessments or
2 appeals procedures to implement the certificate of academic
3 achievement. The superintendent of public instruction shall report
4 quarterly on the progress on development and implementation of
5 alternative assessments or appeals procedures. Within these amounts,
6 the superintendent of public instruction shall contract for the early
7 return of 10th grade student assessment results, on or around June 10th
8 of each year.

9 (2) \$3,860,000 of the education legacy trust account--state
10 appropriation is provided solely for a math and science instructional
11 coaches program pursuant to chapter 396, Laws of 2007. Funding shall
12 be used to provide grants to schools and districts to provide salaries,
13 benefits, and professional development activities for up to twenty-five
14 instructional coaches in middle and high school math and twenty-five
15 instructional coaches in middle and high school science in each year of
16 the biennium; and up to \$300,000 may be used by the office of the
17 superintendent of public instruction to administer and coordinate the
18 program.

19 (3) \$197,000 of the general fund--state appropriation for fiscal
20 year 2012 and \$198,000 of the general fund--state appropriation for
21 fiscal year 2013 are provided solely for the Washington state
22 leadership and assistance for science education reform (LASER) regional
23 partnership activities coordinated at the Pacific science center,
24 including instructional material purchases, teacher and principal
25 professional development, and school and community engagement events.

26 (4) \$88,500,000 of the education legacy trust account--state
27 appropriation is provided solely for grants for voluntary full-day
28 kindergarten at the highest poverty schools, as provided in RCW
29 28A.150.315. The office of the superintendent of public instruction
30 shall provide allocations to districts for recipient schools in
31 accordance with the funding formulas provided in sections 503, 504, and
32 505 of this act. Each kindergarten student who enrolls for the
33 voluntary full-day program in a recipient school shall count as one-
34 half of one full-time equivalent student for purpose of making
35 allocations under this subsection. Although the allocations are
36 formula driven, the office of the superintendent of public instruction
37 shall consider funding provided in this subsection as a fixed amount,
38 and shall limit the number of recipient schools so as to stay within

1 the amounts appropriated each fiscal year in this subsection. The
2 funding provided in this subsection is estimated to provide full-day
3 kindergarten programs for 20 percent of kindergarten enrollment.
4 Funding priority shall be given to schools with the highest poverty
5 levels, as measured by prior year free and reduced price lunch
6 eligibility rates in each school. Additionally, as a condition of
7 funding, school districts must agree to provide the full-day program to
8 the children of parents who request it in each eligible school. For
9 the purpose of calculating a school district levy base, funding
10 provided in this subsection shall be considered a state block grant
11 program under RCW 84.52.0531.

12 (a) Of the amounts provided in this subsection, a maximum of
13 \$272,000 may be used for administrative support of the full-day
14 kindergarten program within the office of the superintendent of public
15 instruction.

16 (b) Student enrollment pursuant to this program shall not be
17 included in the determination of a school district's overall K-12 FTE
18 for the allocation of student achievement programs and other funding
19 formulas unless specifically stated.

20 (5) \$105,754,000 of the general fund--federal appropriation is for
21 preparing, training, and recruiting high quality teachers and
22 principals under Title II of the no child left behind act.

23 (6) \$1,667,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$1,667,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely to eliminate the lunch co-pay for
26 students in grades kindergarten through third grade that are eligible
27 for reduced price lunch.

28 (7) \$5,285,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$5,285,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for: (a) The meals for kids
31 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the
32 breakfast co-pay for students eligible for reduced price lunch; and (c)
33 for additional assistance for school districts initiating a summer food
34 service program.

35 (8) \$980,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$980,000 of the general fund--state appropriation for
37 fiscal year 2013 are provided solely for improving technology
38 infrastructure, monitoring and reporting on school district technology

1 development, promoting standards for school district technology,
2 promoting statewide coordination and planning for technology
3 development, and providing regional educational technology support
4 centers, including state support activities, under chapter 28A.650 RCW.

5 (9) \$250,000 of the education legacy trust account--state
6 appropriation is provided solely for costs associated with the office
7 of the superintendent of public instruction's statewide director of
8 technology position.

9 (10) \$3,852,000 of the general fund--state appropriation for fiscal
10 year 2012 and \$2,624,000 of the general fund--state appropriation for
11 fiscal year 2013 are provided solely for continued implementation of
12 Engrossed Second Substitute Senate Bill No. 6696 (education reform).

13 (11) \$15,000,000 of the general fund--state appropriation for
14 fiscal year 2013 is provided solely for incentive grants to school
15 districts who have implemented the new teacher and principal evaluation
16 systems. School districts eligible to receive grants shall have
17 documented the following by May 31, 2013:

18 (a) Executed agreements with teacher and principal employee groups
19 setting forth the implementation of new teacher and principal
20 evaluation systems in the district.

21 (b) Agreements that provide for the use of the state's criteria as
22 specified in RCW 28A.405.100, four-tier rating systems, rubrics
23 describing the rating system tiers, and the use of multiple measures of
24 student growth.

25 (c) Agreements that provide a calendar for the implementation of
26 the new evaluation systems. Districts may implement the systems
27 district-wide, pilot the systems in certain schools, or begin a phase-
28 in of the systems; at least partial implementation is required for
29 receipt of the incentive grant.

30 NEW SECTION. **Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC**
31 **INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS**

32	General Fund--State Appropriation (FY 2012)	\$86,469,000
33	General Fund--State Appropriation (FY 2013)	\$91,795,000
34	General Fund--Federal Appropriation	\$70,988,000
35	TOTAL APPROPRIATION	\$249,252,000

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

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

4 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
5 shall allocate funding to school districts for transitional bilingual
6 programs as provided in RCW 28A.150.260(10)(b). In calculating the
7 allocations, the superintendent shall assume the following averages:
8 (i) Additional instruction of 4.7780 hours per week per transitional
9 bilingual program student; (ii) fifteen transitional bilingual program
10 students per teacher; (iii) 36 instructional weeks per year; (iv) 900
11 instructional hours per teacher; and (v) the district's average staff
12 mix and compensation rates as provided in sections 504 and 505 of this
13 act.

14 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
15 allocate funding to school districts for transitional bilingual
16 instruction programs as provided in section 514 of the 2011
17 supplemental operating budget (executive request legislation,
18 Z-0373/11).

19 (c) The allocations in this section reflect the implementation of
20 a new funding formula for the transitional bilingual instructional
21 program, effective September 1, 2011, as specified in RCW
22 28A.150.260(10)(b). In calculating transitional bilingual program
23 allocations to districts for school years 2011-12 and 2012-13 as
24 provided in this section, the superintendent of public instruction
25 shall ensure each district's allocation is not less than the allocation
26 provided for the 2010-11 school year after adjusting the 2010-11
27 allocation for changes in the district's bilingual enrollment, district
28 staff mix, and compensation rates contained in sections 504 and 505 of
29 this act. Any amount allocated to districts under this subsection is
30 outside the program of basic education.

31 (3) The superintendent may withhold up to 1.5 percent of the school
32 year allocations to school districts in subsection (2) of this section
33 solely for the central provision of assessments as provided in RCW
34 28A.180.090 (1) and (2).

35 (4) \$70,000 of the amounts appropriated in this section are
36 provided solely to track current and former transitional bilingual
37 program students.

1 (5) The general fund--federal appropriation in this section is for
2 migrant education under Title I Part C and English language
3 acquisition, and language enhancement grants under Title III of the
4 elementary and secondary education act.

5 NEW SECTION. **Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC**
6 **INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM**

7	General Fund--State Appropriation (FY 2012)	\$122,973,000
8	General Fund--State Appropriation (FY 2013)	\$127,625,000
9	General Fund--Federal Appropriation	\$581,182,000
10	Education Legacy Trust Account--State Appropriation	\$47,980,000
11	TOTAL APPROPRIATION	\$879,760,000

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

14 (1) The general fund--state appropriations in this section are
15 subject to the following conditions and limitations:

16 (a) The appropriations include such funds as are necessary to
17 complete the school year ending in the fiscal year and for prior fiscal
18 year adjustments.

19 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent
20 shall allocate funding to school districts for learning assistance
21 programs as provided in RCW 28A.150.260(10)(a). In calculating the
22 allocations, the superintendent shall assume the following averages:

23 (A) Additional instruction of 1.51560 hours per week per funded
24 learning assistance program student; (B) fifteen learning assistance
25 program students per teacher; (C) 36 instructional weeks per year; (D)
26 900 instructional hours per teacher; and (E) the district's average
27 staff mix and compensation rates as provided in sections 504 and 505 of
28 this act.

29 (ii) From July 1, 2011, to August 31, 2011, the superintendent
30 shall allocate funding to school districts for learning assistance
31 programs as provided in section 515 of the 2011 supplemental operating
32 budget (executive request legislation, Z-0373/11).

33 (c) A school district's funded students for the learning assistance
34 program shall be the sum of the following as appropriate:

35 (i) The district's full-time equivalent enrollment in grades K-12
36 for the prior school year multiplied by the district's percentage of

1 October headcount enrollment in grades K-12 eligible for free or
2 reduced price lunch in the prior school year; and

3 (ii) The allocations in this section reflect the implementation of
4 a new funding formula for the learning assistance program, effective
5 September 1, 2011, as specified in RCW 28A.150.260(10)(a). In
6 calculating learning assistance program allocations to districts for
7 school years 2011-12 and 2012-13 as provided in this section, the
8 superintendent of public instruction shall ensure each district's
9 allocation is not less than the allocation provided for the 2010-11
10 school year after adjusting the 2010-11 allocation for subsequent
11 changes in student enrollment and free and reduced price lunch
12 eligibility, district staff mix, and compensation rates contained in
13 sections 504 and 505 of this act. Any amount allocated to districts
14 under this subsection is outside the program of basic education.

15 (2) Allocations made pursuant to subsection (1) of this section
16 shall be adjusted to reflect ineligible applications identified through
17 the annual income verification process required by the national school
18 lunch program, as recommended in the report of the state auditor on the
19 learning assistance program dated February, 2010.

20 (3) The general fund--federal appropriation in this section is
21 provided for Title I Part A allocations of the no child left behind act
22 of 2001.

23 (4) A school district may carry over from one year to the next up
24 to 10 percent of the general fund-state or education legacy trust funds
25 allocated under this program; however, carryover funds shall be
26 expended for the learning assistance program.

27 (5) School districts are encouraged to coordinate the use of these
28 funds with other federal, state, and local sources to serve students
29 who are below grade level and to make efficient use of resources in
30 meeting the needs of students with the greatest academic deficits.

31 (6) Within amounts appropriated in this section, funding is
32 provided for the implementation of extended learning programs required
33 in chapter 328, Laws of 2008.

(End of Part)

PART VI
HIGHER EDUCATION

NEW SECTION. **Sec. 601.** The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the department of personnel for inclusion in the department's data warehouse. Uniform reporting procedures shall be established by the department of personnel for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone as a result of waivers granted under this subsection.

(4) The institutions of higher education receiving state and federal appropriations under sections 605 through 611 of this act shall allot anticipated state, federal, and tuition expenditures by budget program and fiscal year.

(5) To the extent permitted by the applicable personnel system rules, and to the extent collectively bargained with represented employees, institutions of higher education are encouraged to achieve the reductions in full-time-equivalent employment and payroll levels necessary to operate within this budget through strategies that will minimize impacts on employees, their families, their communities, and short- and longer-term accomplishment of institutional mission. Institutions are encouraged to utilize strategies such as reduced work-hours per day or week, voluntary leave without pay, and temporary

1 furloughs that enable employees to maintain permanent employment
2 status. Institutions are further encouraged to implement such
3 strategies in ways that will enable employees to maintain full
4 insurance benefits, full retirement service credit, and a living wage.

5 (6)(a) For institutions receiving appropriations in section 605 of
6 this act the only allowable salary increases provided are those with
7 normally occurring promotions and increases related to faculty and
8 staff retention.

9 (b) For employees under the jurisdiction of chapter 41.56 RCW,
10 salary increases will be in accordance with the applicable collective
11 bargaining agreement. However, an increase shall not be provided to
12 any classified employee whose salary is above the approved salary range
13 maximum for the class to which the employee's position is allocated.

14 (c) For each institution of higher education receiving
15 appropriations under sections 606 through 611 of this act:

16 (i) The only allowable salary increases are those associated with
17 normally occurring promotions and increases related to faculty and
18 staff retention;

19 (ii) Institutions may provide salary increases from other sources
20 to instructional and research faculty. Any salary increase granted
21 under the authority of this subsection (6)(c)(ii) shall not be included
22 in an institution's salary base for future state funding. It is the
23 intent of the legislature that state general fund support for an
24 institution shall not increase during the current or any future
25 biennium as a result of any salary increases authorized under this
26 subsection (6)(c)(ii); and

27 (iii) The authority provided in (c)(i) and (ii) of this subsection
28 does not extend to nonfaculty, nonstudent staff.

29 (7) Institutions receiving funding in sections 605 through 611 of
30 this act shall not expend state funds for the purpose of contributions
31 to employee annuity or retirement income plans under RCW 28B.10.400 in
32 any amount greater than six percent of salary.

33 (8) For additional adjustments to higher education compensation
34 policy, see section 709 of this act.

35 NEW SECTION. **Sec. 602.** (1) Within the funds appropriated in this
36 act, each baccalaureate institution is expected to produce at least the
37 following numbers of bachelors degrees per academic year:

	2010-11	2012-13
	Annual	Annual
	Average	Average
University of Washington	8,657	8,657
Washington State University	4,687	4,687
Central Washington University	2,324	2,324
Eastern Washington University	1,881	1,881
The Evergreen State College	1,157	1,157
Western Washington University	3,068	3,068

(2) Within the funds appropriated in section 605 of this act, the community and technical colleges are expected to enroll and educate at least the following numbers of full-time equivalent state-supported students per academic year:

	2010-11	2012-13
	Annual	Annual
	Average	average
State Board for Community and Technical Colleges		
Adult Students	139,262	139,262
Running Start Students	11,558	11,558

(3) In achieving or exceeding these enrollment targets, each institution shall seek to:

(a) Maintain and to the extent possible increase enrollment opportunities at branch campuses;

(b) Maintain and to the extent possible increase enrollment opportunities at university centers and other partnership programs that enable students to earn baccalaureate degrees on community college campuses; and

(c) Eliminate and consolidate programs of study for which there is limited student or employer demand, or that are not areas of core

1 academic strength for the institution, particularly when such programs
2 duplicate offerings by other in-state institutions.

3 (4) For purposes of monitoring and reporting statewide enrollment,
4 the University of Washington and Washington State University shall
5 notify the office of financial management of the number of full-time
6 student equivalent enrollments budgeted for each of their campuses.

7 NEW SECTION. **Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS**

8 In order to operate within the state funds appropriated in this
9 act, the governing boards of the state research universities, the state
10 regional universities, and The Evergreen State College are authorized
11 to adopt and adjust tuition and fees for the 2011-12 and 2012-13
12 academic years as provided in this section:

13 (1) The governing boards of the University of Washington,
14 Washington State University, and Western Washington University may
15 increase the tuition fees, as defined in RCW 28B.15.020, charged to
16 resident undergraduate students by no more than eleven percent over the
17 amounts charged to resident undergraduate students for the prior
18 academic year.

19 (2) The governing boards of Central Washington University, Eastern
20 Washington University, and The Evergreen State College may increase the
21 tuition fees, as defined in RCW 28B.15.020, charged to resident
22 undergraduate students by no more than nine percent over the amounts
23 charged to resident undergraduate students for the prior academic year.

24 (3) Each governing board is authorized to increase tuition charges
25 to graduate and professional students, and to nonresident undergraduate
26 students, by amounts judged reasonable and necessary by the governing
27 board.

28 (4) Each governing board is authorized to increase summer quarter
29 or semester tuition fees for resident and nonresident undergraduate,
30 graduate, and professional students pursuant to RCW 28B.15.067.

31 (5) Each governing board is authorized to adopt or increase charges
32 for fee-based, self-sustaining degree programs, credit courses,
33 noncredit workshops and courses, and special contract courses by
34 amounts judged reasonable and necessary by the governing board.

35 (6) Each governing board is authorized to adopt or increase
36 services and activities fees for all categories of students as provided
37 in RCW 28B.15.069.

1 (7) Each governing board is authorized to adopt or increase
2 technology fees as provided in RCW 28B.15.069.

3 (8) Each governing board is authorized to adopt or increase special
4 course and lab fees, and health and counseling fees, to the extent
5 necessary to cover the reasonable and necessary exceptional cost of the
6 course or service.

7 (9) Each governing board is authorized to adopt or increase
8 administrative fees such as, but not limited to, those charged for
9 application, matriculation, special testing, and transcripts by amounts
10 judged reasonable and necessary by the governing board.

11 NEW SECTION. **Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL**
12 **COLLEGES**

13 In order to operate within the state funds appropriated in this
14 act, the state board for community and technical colleges and the
15 trustees of the state's community and technical colleges are authorized
16 to adopt and adjust tuition and fees for the 2011-12 and 2012-13
17 academic years as provided in this section:

18 (1) The state board may increase the tuition fees charged to
19 resident undergraduate students by no more than ten percent over the
20 amounts charged to resident undergraduates during the prior academic
21 year. The board may increase tuition fees under this subsection
22 differentially based on student credit hour load, provided that the
23 overall increase in average tuition revenue per student does not exceed
24 ten percent each year.

25 (2) The state board may increase the tuition fees charged to
26 resident undergraduates enrolled in upper division applied
27 baccalaureate programs by no more than ten percent over the amounts
28 charged during the prior academic year.

29 (3) The state board may increase the tuition fees charged to
30 nonresident students by amounts judged reasonable and necessary by the
31 board.

32 (4) The trustees of the technical colleges are authorized to either
33 (a) increase operating fees by no more than the percentage increases
34 authorized for community colleges by the state board; or (b) fully
35 adopt the tuition fee charge schedule adopted by the state board for
36 community colleges.

1 (5) For academic years 2011-2012 and 2012-2013, the trustees of the
2 technical colleges are authorized to increase building fees by an
3 amount judged reasonable in order to progress toward parity with the
4 building fees charged students attending the community colleges.

5 (6) The state board is authorized to increase the maximum allowable
6 services and activities fee as provided in RCW 28B.15.069. The
7 trustees of the community and technical colleges are authorized to
8 increase services and activities fees up to the maximum level
9 authorized by the state board.

10 (7) The trustees of the community and technical colleges are
11 authorized to adopt or increase charges for fee-based, self-sustaining
12 programs such as summer session, international student contracts, and
13 special contract courses by amounts judged reasonable and necessary by
14 the trustees.

15 (8) The trustees of the community and technical colleges are
16 authorized to adopt or increase special course and lab fees to the
17 extent necessary to cover the reasonable and necessary exceptional cost
18 of the course or service.

19 (9) The trustees of the community and technical colleges are
20 authorized to adopt or increase administrative fees such as but not
21 limited to those charged for application, matriculation, special
22 testing, and transcripts by amounts judged reasonable and necessary by
23 the trustees.

24 NEW SECTION. **Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND**
25 **TECHNICAL COLLEGES**

26	General Fund--State Appropriation (FY 2012)	\$598,125,000
27	General Fund--State Appropriation (FY 2013)	\$570,509,000
28	Community/Technical College Capital Projects	
29	Account--State Appropriation	\$34,489,000
30	TOTAL APPROPRIATION	\$1,203,123,000

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

33 (1) \$28,761,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$28,761,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely as special funds for training and
36 related support services, including financial aid, as specified in RCW

1 28C.04.390. Funding is provided to support at least 6,200 full-time
2 equivalent students in fiscal year 2012 and at least 6,200 full-time
3 equivalent students in fiscal year 2013.

4 (2) \$2,725,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$2,725,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for administration and customized
7 training contracts through the job skills program. The state board
8 shall make an annual report by January 1st of each year to the governor
9 and to the appropriate policy and fiscal committees of the legislature
10 regarding implementation of this section, listing the scope of grant
11 awards, the distribution of funds by educational sector and region of
12 the state, and the results of the partnerships supported by these
13 funds.

14 (3) \$2,920,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$7,850,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for the student achievement
17 initiative, including awards to colleges for performance increases.

18 NEW SECTION. **Sec. 606. FOR THE UNIVERSITY OF WASHINGTON**

19	General Fund--State Appropriation (FY 2012)	\$247,518,000
20	General Fund--State Appropriation (FY 2013)	\$203,918,000
21	University of Washington Building Account--State	
22	Appropriation	\$15,129,000
23	Biotoxin Account--State Appropriation	\$450,000
24	Accident Account--State Appropriation	\$6,722,000
25	Medical Aid Account--State Appropriation	\$6,512,000
26	TOTAL APPROPRIATION	\$480,249,000

27 The appropriations in this section are subject to the following
28 conditions and limitations: In implementing the appropriations in this
29 section, the president and regents shall seek to minimize impacts on
30 student services and instructional programs by maximizing reductions in
31 administration and other noninstructional activities.

32 NEW SECTION. **Sec. 607. FOR WASHINGTON STATE UNIVERSITY**

33	General Fund--State Appropriation (FY 2012)	\$169,134,000
34	General Fund--State Appropriation (FY 2013)	\$148,786,000
35	Washington State University Building Account--State	
36	Appropriation	\$14,022,000

1 TOTAL APPROPRIATION \$331,942,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: In implementing the appropriations in this
4 section, the president and regents shall seek to minimize impacts on
5 student services and instructional programs by maximizing reductions in
6 administration and other noninstructional activities.

7 NEW SECTION. **Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY**

8 General Fund--State Appropriation (FY 2012) \$39,657,000

9 General Fund--State Appropriation (FY 2013) \$34,793,000

10 TOTAL APPROPRIATION \$74,450,000

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

13 (1) \$250,000 of the general fund--state appropriation for fiscal
14 year 2012 and \$250,000 of the general fund--state appropriation for
15 fiscal year 2013 are provided solely to expand mentoring and academic
16 support services to 150 TRIO-eligible students each year. TRIO-
17 eligible students are low-income students, first generation college
18 students, and students with disabilities.

19 (2) In implementing the appropriations in this section, the
20 president and governing board shall seek to minimize impacts on student
21 services and instructional programs by maximizing reductions in
22 administration and other noninstructional activities.

23 NEW SECTION. **Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY**

24 General Fund--State Appropriation (FY 2012) \$39,265,000

25 General Fund--State Appropriation (FY 2013) \$33,985,000

26 TOTAL APPROPRIATION \$73,250,000

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

29 (1) \$250,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$250,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely to expand mentoring and academic
32 support services to 150 TRIO-eligible students each year. TRIO-
33 eligible students are low-income students, first generation college
34 students, and students with disabilities.

1 (2) In implementing the appropriations in this section, the
2 president and governing board shall seek to minimize impacts on student
3 services and instructional programs by maximizing reductions in
4 administration and other noninstructional activities.

5 NEW SECTION. **Sec. 610. FOR THE EVERGREEN STATE COLLEGE**

6	General Fund--State Appropriation (FY 2012)	\$21,316,000
7	General Fund--State Appropriation (FY 2013)	\$17,941,000
8	TOTAL APPROPRIATION	\$39,257,000

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

11 (1) \$250,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$250,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely to expand mentoring and academic
14 support services to 150 TRIO-eligible students each year. TRIO-
15 eligible students are low-income students, first generation college
16 students, and students with disabilities.

17 (2) In implementing the appropriations in this section, the
18 president and governing board shall seek to minimize impacts on student
19 services and instructional programs by maximizing reductions in
20 administration and other noninstructional activities.

21 NEW SECTION. **Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY**

22	General Fund--State Appropriation (FY 2012)	\$46,975,000
23	General Fund--State Appropriation (FY 2013)	\$38,180,000
24	TOTAL APPROPRIATION	\$85,155,000

25 The appropriations in this section are subject to the following
26 conditions and limitations: In implementing the appropriations in this
27 section, the president and governing board shall seek to minimize
28 impacts on student services and instructional programs by maximizing
29 reductions in administration and other noninstructional activities.

30 NEW SECTION. **Sec. 612. FOR THE HIGHER EDUCATION COORDINATING**
31 **BOARD--POLICY COORDINATION AND ADMINISTRATION**

32	General Fund--State Appropriation (FY 2012)	\$5,457,000
33	General Fund--State Appropriation (FY 2013)	\$10,334,000
34	General Fund--Federal Appropriation	\$4,364,000
35	TOTAL APPROPRIATION	\$20,155,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$5,000,000 of the general fund--state
3 appropriation for fiscal year 2013 is provided solely for a new
4 baccalaureate incentive system to be known as the bachelor degree
5 completion initiative. Funds shall be awarded to the six public
6 baccalaureate institutions for performance improvement on a set of
7 measures to include:

- 8 (1) Total number of undergraduate degrees completed;
- 9 (2) Increases in the number of degrees awarded in the physical and
10 health sciences, technology, engineering, and mathematics;
- 11 (3) Increases in the retention of first-year students receiving
12 need-based assistance (state need grant or Pell grants) not including
13 students who transfer to another institution of higher education; and
- 14 (4) The number of excess credits taken beyond what is required to
15 earn a bachelors degree.

16 The measures will be designed by the education research and data
17 center (ERDC). The baseline for each measure will be determined
18 collaboratively by the ERDC, the council of presidents, and the board.
19 If House Bill No. or Senate Bill No. does not pass by June
20 30, 2011, the appropriations in this section shall lapse.

21 NEW SECTION. **Sec. 613. FOR THE HIGHER EDUCATION COORDINATING**
22 **BOARD--FINANCIAL AID AND GRANT PROGRAMS**

23	General Fund--State Appropriation (FY 2012)	\$211,051,000
24	General Fund--State Appropriation (FY 2013)	\$237,797,000
25	General Fund--Federal Appropriation	\$13,150,000
26	Washington Opportunity Pathways Account--State	
27	Appropriation	\$147,000,000
28	TOTAL APPROPRIATION	\$608,998,000

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

- 31 (1) \$201,385,000 of the general fund--state appropriation for
32 fiscal year 2012, \$230,120,000 of the general fund--state appropriation
33 for fiscal year 2013, \$147,000,000 of the opportunity pathways
34 account--state appropriation, and \$1,480,000 of the general fund--
35 federal appropriation are provided solely for student financial aid
36 payments under the state need grant and the state work study program
37 including up to a four percent administrative allowance.

1 (2) For the 2011-2013 fiscal biennium, the higher education
2 coordinating board shall not make any new awards for the Washington
3 scholars program, the future teachers scholarship and conditional loan
4 program, the health professionals conditional scholarship program, the
5 passport to college program, and the WICHE professional student
6 exchange program.

7 (3) For the 2011-2013 fiscal biennium, the higher education
8 coordinating board shall suspend the CAMP program, the community
9 scholarship matching grant program, child care institutional grants,
10 foster care endowed scholarship contributions, and the leadership 1000
11 program.

12 (4)(a) Within the funds appropriated in this section, eligibility
13 for the state need grant shall include students with family incomes at
14 or below 70 percent of the state median family income (MFI), adjusted
15 for family size. Awards for all students shall be adjusted by the
16 estimated amount by which Pell grant increases exceed projected
17 increases in the noninstructional costs of attendance. Awards for
18 students with incomes between 51 and 70 percent of the state median
19 shall be prorated at the following percentages of the award amount
20 granted to those with incomes below 51 percent of the MFI: 70 percent
21 for students with family incomes between 51 and 55 percent MFI; 65
22 percent for students with family incomes between 56 and 60 percent MFI;
23 60 percent for students with family incomes between 61 and 65 percent
24 MFI; and 50 percent for students with family incomes between 66 and 70
25 percent MFI.

26 (b) Grant awards for students at private four-year colleges shall
27 be set at the same level as the student would receive if attending one
28 of the public research universities.

29 (5) \$2,900,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$1,800,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for Washington scholars and WAVE
32 program awards made in prior years.

33 (6) \$1,500,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$1,200,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for passport to college program
36 awards made in prior years.

37 (7) \$530,000 of the general fund--state appropriation for fiscal

1 year 2012 and \$530,000 of the general fund--state appropriation for
2 fiscal year 2013 are provided solely for health professional
3 conditional scholarship program awards made in prior years.

4 NEW SECTION. **Sec. 614. FOR THE WORK FORCE TRAINING AND EDUCATION**
5 **COORDINATING BOARD**

6	General Fund--State Appropriation (FY 2012)	\$1,406,000
7	General Fund--State Appropriation (FY 2013)	\$1,410,000
8	General Fund--Federal Appropriation	\$62,782,000
9	TOTAL APPROPRIATION	\$65,598,000

10 The appropriations in this section are subject to the following
11 conditions and limitations: For the 2011-2013 fiscal biennium the
12 board shall not designate recipients of the Washington award for
13 vocational excellence or recognize them at award ceremonies as provided
14 in RCW 28C.04.535.

15 NEW SECTION. **Sec. 615. FOR THE SPOKANE INTERCOLLEGIATE RESEARCH**
16 **AND TECHNOLOGY INSTITUTE**

17	General Fund--State Appropriation (FY 2012)	\$1,320,000
18	General Fund--State Appropriation (FY 2013)	\$1,329,000
19	TOTAL APPROPRIATION	\$2,649,000

20 NEW SECTION. **Sec. 616. FOR THE DEPARTMENT OF EARLY LEARNING**

21	General Fund--State Appropriation (FY 2012)	\$18,869,000
22	General Fund--State Appropriation (FY 2013)	\$18,834,000
23	General Fund--Federal Appropriation	\$244,553,000
24	Washington Opportunity Pathways Account--State	
25	Appropriation	\$80,000,000
26	TOTAL APPROPRIATION	\$362,256,000

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

29 (1) \$10,378,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$10,185,000 of the general fund--state appropriation for
31 fiscal year 2013, and \$80,000,000 of the opportunity pathways account
32 appropriation are provided solely for early childhood education and
33 assistance program services. The priority shall be on serving four-
34 year old children. A program may serve three-year old children at the
35 director's discretion based upon demonstrated need, but the number of

1 three-year olds shall not exceed 350. This appropriation temporarily
2 reduces the number of slots for the 2011-2013 fiscal biennium for the
3 early childhood education and assistance program. The department shall
4 reduce slots where providers serve both federal headstart and early
5 childhood education and assistance program children, to the greatest
6 extent possible, in order to achieve no reduction of slots across the
7 state. The amounts in this subsection also reflect reductions to the
8 administrative expenditures for the early childhood education and
9 assistance program. The department shall reduce administrative
10 expenditures, to the greatest extent possible, prior to reducing early
11 childhood education and assistance program slots. Of these amounts,
12 \$10,284,000 is a portion of the biennial amount of state matching
13 dollars required to receive federal child care and development fund
14 grant dollars.

15 (2) The department is the lead agency for and recipient of the
16 federal child care and development fund grant. Amounts within this
17 grant shall be used to fund child care licensing, quality initiatives,
18 agency administration, and other costs associated with child care
19 subsidies. The department shall transfer a portion of this grant to
20 the department of social and health services to partially fund the
21 child care subsidies paid by the department of social and health
22 services on behalf of the department of early learning.

23 (3) The department shall use child care development fund money to
24 satisfy the federal audit requirement of the improper payments act
25 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent
26 on the audits will not count against the five percent state limit on
27 administrative expenditures.

28 (4) Within available amounts, the department in consultation with
29 the office of financial management and the department of social and
30 health services shall report quarterly enrollments and active caseload
31 for the working connections child care program to the legislative
32 fiscal committees. The report shall also identify the number of cases
33 participating in both temporary assistance for needy families and
34 working connections child care.

35 (5) The appropriations in this section reflect reductions in the
36 appropriations for the department's administrative expenses. It is the
37 intent of the legislature that these reductions shall be achieved, to

1 the greatest extent possible, by reducing those administrative costs
2 that do not affect direct client services or direct service delivery or
3 program.

4 NEW SECTION. **Sec. 617. FOR THE STATE SCHOOL FOR THE BLIND**

5	General Fund--State Appropriation (FY 2012)	\$6,168,000
6	General Fund--State Appropriation (FY 2013)	\$6,125,000
7	General Fund--Private/Local Appropriation	\$1,970,000
8	TOTAL APPROPRIATION	\$14,263,000

9 The appropriations in this section are subject to the following
10 conditions and limitations: \$271,000 of the general fund--
11 private/local appropriation is provided solely for the school for the
12 blind to offer short course programs, allowing students the opportunity
13 to leave their home schools for short periods and receive intensive
14 training. The school for the blind shall provide this service to the
15 extent that it is funded by contracts with school districts and
16 educational services districts.

17 NEW SECTION. **Sec. 618. FOR THE WASHINGTON STATE CENTER FOR**
18 **CHILDHOOD DEAFNESS AND HEARING LOSS**

19	General Fund--State Appropriation (FY 2012)	\$8,852,000
20	General Fund--State Appropriation (FY 2013)	\$8,839,000
21	General Fund--Private/Local Appropriation	\$526,000
22	TOTAL APPROPRIATION	\$18,217,000

23 NEW SECTION. **Sec. 619. FOR THE WASHINGTON STATE HISTORICAL**
24 **SOCIETY**

25	General Fund--State Appropriation (FY 2012)	\$1,760,000
26	General Fund--State Appropriation (FY 2013)	\$734,000
27	TOTAL APPROPRIATION	\$2,494,000

28 The appropriations in this section are subject to the following
29 conditions and limitations: The appropriations in this section are for
30 the preservation of the historical society's collections and archives
31 and to secure facilities. In addition, \$430,000 of the general fund--
32 state appropriation for fiscal year 2012 is for one-time expenses
33 associated with closure of the museum, including unemployment payments
34 and initial expenses to secure the society's buildings and collections.

1 NEW SECTION. **Sec. 620. FOR THE EASTERN WASHINGTON STATE**

2 **HISTORICAL SOCIETY**

3 General Fund--State Appropriation (FY 2012) \$900,000
4 General Fund--State Appropriation (FY 2013) \$400,000
5 TOTAL APPROPRIATION \$1,300,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: The appropriations in this section are for
8 the preservation of the historical society's collections and archives
9 and to secure facilities. In addition, \$390,000 of the general fund--
10 state appropriation for fiscal year 2012 is for one-time expenses
11 associated with closure of the museum, including unemployment payments
12 and initial expenses to secure the society's buildings and collections.

(End of part)

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. **Sec. 701. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund--State Appropriation (FY 2012)	\$919,080,000
General Fund--State Appropriation (FY 2013)	\$971,591,000
State Building Construction Account--State Appropriation	\$1,589,000
Columbia River Basin Water Supply Development Account--State Appropriation	\$73,000
Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation	\$6,000
State Taxable Building Construction Account--State Appropriation	\$345,000
Gardner-Evans Higher Education Construction Account--State Appropriation	\$1,000
Debt-Limit Reimbursable Bond Retire Account--State Appropriation	\$2,300,000
TOTAL APPROPRIATION	\$1,894,985,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

NEW SECTION. **Sec. 702. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES**

Accident Account--State Appropriation	\$4,110,000
Medical Aid Account--State Appropriation	\$4,110,000
TOTAL APPROPRIATION	\$8,220,000

NEW SECTION. **Sec. 703. FOR THE STATE TREASURER--BOND RETIREMENT**

1 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
2 **GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

3	General Fund--State Appropriation (FY 2012)	\$27,516,000
4	General Fund--State Appropriation (FY 2013)	\$30,758,000
5	Nondebt-Limit Reimbursable Bond Retirement	
6	Account--State Appropriation	\$140,417,000
7	TOTAL APPROPRIATION	\$198,691,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: The general fund appropriation is for
10 expenditure into the nondebt-limit general fund bond retirement
11 account. The entire general fund--state appropriation for fiscal year
12 2012 shall be expended into the nondebt-limit general fund bond
13 retirement account by June 30, 2012.

14 NEW SECTION. **Sec. 704. FOR THE STATE TREASURER--BOND RETIREMENT**
15 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
16 **BOND SALE EXPENSES**

17	General Fund--State Appropriation (FY 2012)	\$1,357,000
18	General Fund--State Appropriation (FY 2013)	\$1,357,000
19	State Building Construction Account--State	
20	Appropriation	\$1,273,000
21	Columbia River Basin Water Supply Development	
22	Account--State Appropriation	\$12,000
23	Hood Canal Aquatic Rehabilitation Bond Account--State	
24	Appropriation	\$1,000
25	State Taxable Building Construction Account--State	
26	Appropriation	\$55,000
27	Gardner-Evans Higher Education Construction	
28	Account--State Appropriation	\$1,000
29	TOTAL APPROPRIATION	\$4,056,000

30 NEW SECTION. **Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
31 **FIRE CONTINGENCY**

32	General Fund--State Appropriation (FY 2012)	\$4,000,000
33	General Fund--State Appropriation (FY 2013)	\$4,000,000
34	TOTAL APPROPRIATION	\$8,000,000

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

1 expenditure into the disaster response account to be used for any
2 Washington state fire service resource mobilization costs incurred by
3 the Washington state patrol in response to an emergency or disaster
4 authorized under RCW 43.43.960 and 43.43.964.

5 NEW SECTION. **Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
6 **DISASTER RESPONSE ACCOUNT**

7	General Fund--State Appropriation (FY 2012)	\$14,575,000
8	General Fund--State Appropriation (FY 2013)	\$75,000
9	TOTAL APPROPRIATION	\$14,650,000

10 The appropriations in this section are subject to the following
11 conditions and limitations: The appropriations are provided solely for
12 expenditure into the disaster response account. \$5,000,000 of the
13 appropriation is provided for emergency fire suppression by the
14 department of natural resources.

15 NEW SECTION. **Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
16 **EMERGENCY FUND**

17	General Fund--State Appropriation (FY 2012)	\$850,000
18	General Fund--State Appropriation (FY 2013)	\$850,000
19	TOTAL APPROPRIATION	\$1,700,000

20 The appropriations in this section are subject to the following
21 conditions and limitations: The appropriations in this section are for
22 the governor's emergency fund for the critically necessary work of any
23 agency.

24 NEW SECTION. **Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
25 **EDUCATION TECHNOLOGY REVOLVING ACCOUNT**

26	General Fund--State Appropriation (FY 2012)	\$8,000,000
27	General Fund--State Appropriation (FY 2013)	\$8,000,000
28	TOTAL APPROPRIATION	\$16,000,000

29 The appropriations in this section are subject to the following
30 conditions and limitations: The appropriations in this section are
31 provided solely for expenditure into the education technology revolving
32 account for the purpose of covering ongoing operational and equipment
33 replacement costs incurred by the K-20 educational network program in
34 providing telecommunication services to network participants.

1 NEW SECTION. **Sec. 709. SALARY ADJUSTMENT**

2 General Fund--State Appropriation (FY 2012) (\$87,779,000)
3 General Fund--State Appropriation (FY 2013) (\$88,112,000)
4 General Fund--Federal Appropriation (\$27,462,000)
5 General Fund--Private/Local Appropriation (\$2,657,000)
6 Various Other Accounts Appropriation (\$45,490,000)
7 TOTAL APPROPRIATION (\$251,500,000)

8 The appropriations in this section shall be expended solely for the
9 purposes designated in this section and are subject to the following
10 conditions and limitations:

11 (1) Appropriations in this section are provided solely for a 3.0
12 percent salary reduction effective July 1, 2011, through June 30, 2013,
13 for all employees of the executive, legislative, and judicial branches,
14 including those employees in the Washington management service, and
15 including employees exempt from merit system rules, except for:

16 (a) Elected officials whose salaries are set by the commission on
17 salaries for elected officials;

18 (b) Student employees at state institutions of higher education;

19 (c) Faculty employees at state institutions of higher education,
20 provided, however, that appropriations to higher education institutions
21 are reduced in an amount reflecting a 3.0 percent reduction in faculty
22 salary expenditures;

23 (d) Certificated employees of the state school for the blind and
24 the center for childhood deafness and hearing loss;

25 (e) Commissioned officers of the Washington state patrol
26 represented by the state patrol troopers' association and the
27 Washington state patrol lieutenants' association;

28 (f) Represented ferry workers of the Washington state department of
29 transportation, provided, however, that other reductions are included
30 in section 504 of the 2011-2013 transportation appropriations act;

31 (g) Employees whose salary is less than \$2,500 per month; and

32 (h) Employees as specified in subsection (2) of this section.

33 (2) For employees subject to the 3.0 percent reduction in salary
34 under subsection (1) of this section employees will receive temporary
35 salary reduction leave of up to 5.2 hours per month. The director of
36 personnel shall adopt rules governing the accrual and use of temporary
37 salary reduction leave.

1 (3) Appropriations also reflect a 3.0 percent cost saving in
2 expenditures as specified in section 9-- of this act.

3 (4) The department of retirement systems shall include any forgone
4 salary or lost work hours under subsections (1) and (3) of this section
5 in the final average compensation of employees affected for purposes of
6 calculating retirement benefits, as specified in executive request
7 legislation Z-..../11.

8 (5) The appropriation from dedicated funds and accounts shall be
9 made in the amounts specified and from the dedicated funds and accounts
10 specified in OFM document 2011-01, which is hereby incorporated by
11 reference. The office of financial management shall allocate the
12 moneys appropriated in this section in the amounts specified and to the
13 state agencies specified in OFM document 2011-01 and adjust
14 appropriation schedules accordingly.

15 NEW SECTION. **Sec. 710. INCENTIVE SAVINGS--FY 2012**

16 The sum of one hundred twenty-five million dollars or so much
17 thereof as may be available on June 30, 2012, from the total amount of
18 unspent fiscal year 2012 state general fund appropriations, exclusive
19 of amounts expressly placed into unallotted status by this act, is
20 appropriated for the purposes of RCW 43.79.460 in the manner provided
21 in this section.

22 (1) Of the total appropriated amount, one-half of that portion that
23 is attributable to incentive savings, not to exceed twenty-five million
24 dollars, is appropriated to the savings incentive account for the
25 purpose of improving the quality, efficiency, and effectiveness of
26 agency services, and credited to the agency that generated the savings.

27 (2) The remainder of the total amount, not to exceed one hundred
28 million dollars, is appropriated to the education savings account.

29 NEW SECTION. **Sec. 711. INCENTIVE SAVINGS--FY 2013**

30 The sum of one hundred twenty-five million dollars or so much
31 thereof as may be available on June 30, 2013, from the total amount of
32 unspent fiscal year 2013 state general fund appropriations, exclusive
33 of amounts expressly placed into unallotted status by this act, is
34 appropriated for the purposes of RCW 43.79.460 in the manner provided
35 in this section.

1 (1) Of the total appropriated amount, one-half of that portion that
 2 is attributable to incentive savings, not to exceed twenty-five million
 3 dollars, is appropriated to the savings incentive account for the
 4 purpose of improving the quality, efficiency, and effectiveness of
 5 agency services, and credited to the agency that generated the savings.

6 (2) The remainder of the total amount, not to exceed one hundred
 7 million dollars, is appropriated to the education savings account.

8 NEW SECTION. **Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
 9 **O'BRIEN BUILDING IMPROVEMENT**

10	General Fund--State Appropriation (FY 2012)	\$2,846,000
11	General Fund--State Appropriation (FY 2013)	\$2,950,000
12	TOTAL APPROPRIATION	\$5,796,000

13 The appropriations in this section are subject to the following
 14 conditions and limitations: The appropriations are provided solely for
 15 expenditure into the general administration services account for
 16 payment of principal, interest, and financing expenses associated with
 17 the certificate of participation for the O'Brien building improvement,
 18 project number 20081007.

19 NEW SECTION. **Sec. 713. FOR THE DEPARTMENT OF HEALTH--COUNTY**
 20 **PUBLIC HEALTH ASSISTANCE**

21 The appropriations in this section are subject to the following
 22 conditions and limitations: The director of the department of health
 23 shall distribute the appropriations to the following counties and
 24 health districts in the amounts designated to support public health
 25 services, including public health nursing:

26	Health District	FY 2012	FY 2013	FY 2011-13
27				Biennium
28	Adams County Health District	\$30,951	\$30,951	\$61,902
29	Asotin County Health District	\$67,714	\$67,714	\$135,428
30	Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
31	Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
32	Clallam County Health and Human Services	\$141,752	\$141,752	\$283,504
33	Department			
34	Clark County Health District	\$1,057,792	\$1,057,792	\$2,115,594

1	Skamania County Health Department	\$26,681	\$26,681	\$53,362
2	Columbia County Health District	\$40,529	\$40,529	\$81,058
3	Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
4	Garfield County Health District	\$15,028	\$15,028	\$30,056
5	Grant County Health District	\$118,595	\$118,596	\$237,191
6	Grays Harbor Health Department	\$183,870	\$183,870	\$367,740
7	Island County Health Department	\$91,892	\$91,892	\$183,784
8	Jefferson County Health and Human Services	\$85,782	\$85,782	\$171,564
9	Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
10	Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338
11	Kittitas County Health Department	\$92,499	\$92,499	\$184,998
12	Klickitat County Health Department	\$62,402	\$62,402	\$124,804
13	Lewis County Health Department	\$105,801	\$105,801	\$211,602
14	Lincoln County Health Department	\$29,705	\$29,705	\$59,410
15	Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
16	Okanogan County Health District	\$63,458	\$63,458	\$126,916
17	Pacific County Health Department	\$77,427	\$77,427	\$154,854
18	Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
19	San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
20	Skagit County Health Department	\$223,927	\$223,927	\$447,854
21	Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
22	Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
23	Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
24	Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
25	Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
26	Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124
27	Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
28	Whitman County Health Department	\$78,733	\$78,733	\$157,466
29	Yakima Health District	\$623,797	\$623,797	\$1,247,594
30	TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000

31 NEW SECTION. **Sec. 714. FOR THE DEPARTMENT OF RETIREMENT**
32 **SYSTEMS--CONTRIBUTIONS TO RETIREMENT SYSTEMS**

33 The appropriations in this section are subject to the following
34 conditions and limitations: The appropriations for the law enforcement
35 officers' and firefighters' retirement system shall be made on a
36 monthly basis beginning July 1, 2011, consistent with chapter 41.45

1 RCW, and the appropriations for the judges and judicial retirement
2 systems shall be made on a quarterly basis consistent with chapters
3 2.10 and 2.12 RCW.

4 (1) There is appropriated for state contributions to the law
5 enforcement officers' and firefighters' retirement system:

6	General Fund--State Appropriation (FY 2012)	\$58,700,000
7	General Fund--State Appropriation (FY 2013)	\$62,200,000
8	TOTAL APPROPRIATION	\$120,900,000

9 (2) There is appropriated for contributions to the judicial
10 retirement system:

11	General Fund--State Appropriation (FY 2012)	\$11,600,000
12	General Fund--State Appropriation (FY 2013)	\$13,100,000
13	TOTAL APPROPRIATION	\$24,700,000

14 NEW SECTION. **Sec. 715. BELATED CLAIMS**

15 The agencies and institutions of the state may expend moneys
16 appropriated in this act, upon approval of the office of financial
17 management, for the payment of supplies and services furnished to the
18 agency or institution in prior fiscal biennia.

19 NEW SECTION. **Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
20 **WASHINGTON OPPORTUNITY PATHWAYS ACCOUNT**

21	General Fund--State Appropriation (FY 2012)	\$6,200,000
22	General Fund--State Appropriation (FY 2013)	\$1,800,000
23	TOTAL APPROPRIATION	\$8,000,000

24 The appropriations in this section are subject to the following
25 conditions and limitations: The appropriations in this section are
26 provided solely for expenditure into the Washington opportunity
27 pathways account.

28 NEW SECTION. **Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**
29 **WASHINGTON COMMUNITY TECHNOLOGY OPPORTUNITY ACCOUNT**

30	General Fund--State Appropriation (FY 2012)	\$250,000
31	General Fund--State Appropriation (FY 2013)	\$250,000
32	TOTAL APPROPRIATION	\$500,000

33 The appropriations in this section are subject to the following

1 conditions and limitations: The appropriations in this section are
2 provided solely for expenditure into the Washington community
3 technology opportunity account.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Table with 2 columns: Description and Amount. Rows include General Fund Appropriation for fire insurance (\$8,368,000), public utility district excise tax distributions (\$49,948,000), prosecuting attorney distributions (\$6,281,000), boating safety and education distributions (\$4,000,000), other tax distributions (\$50,000), habitat conservation program distributions (\$3,000,000), Death Investigations Account (\$2,960,000), Aquatic Lands Enhancement Account (\$160,000), Timber Tax Distribution Account (\$39,478,000), County Criminal Justice Assistance (\$72,493,000), Municipal Criminal Justice Assistance (\$27,974,000), City-County Assistance Account (\$17,947,000), Liquor Excise Tax Account (\$54,252,000), Streamline Sales and Use Tax Mitigation Account (\$49,816,000), Columbia River Water Delivery Account for Confederated Tribes (\$7,441,000), and Columbia River Water Delivery Account for Spokane Tribe (\$4,748,000).

1 Liquor Revolving Account Appropriation for liquor
2 profits distribution \$72,689,000
3 TOTAL APPROPRIATION \$421,605,000

4 The total expenditures from the state treasury under the
5 appropriations in this section shall not exceed the funds available
6 under statutory distributions for the stated purposes.

7 NEW SECTION. **Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY**
8 **CRIMINAL JUSTICE ASSISTANT ACCOUNT**

9 Impaired Driver Safety Account Appropriation \$2,454,000

10 The appropriation in this section is subject to the following
11 conditions and limitations: The amount appropriated in this section
12 shall be distributed quarterly during the 2011-13 biennium in
13 accordance with RCW 82.14.310. This funding is provided to counties
14 for the costs of implementing criminal justice legislation including,
15 but not limited to: Chapter 206, Laws of 1998 (drunk driving
16 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
17 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998
18 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
19 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
20 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
21 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
22 215, Laws of 1998 (DUI provisions).

23 NEW SECTION. **Sec. 803. FOR THE STATE TREASURER--MUNICIPAL**
24 **CRIMINAL JUSTICE ASSISTANT ACCOUNT**

25 Impaired Driver Safety Account Appropriation \$1,635,000

26 The appropriation in this section is subject to the following
27 conditions and limitations: The amount appropriated in this section
28 shall be distributed quarterly during the 2011-2013 biennium to all
29 cities ratably based on population as last determined by the office of
30 financial management. The distributions to any city that substantially
31 decriminalizes or repeals its criminal code after July 1, 1990, and
32 that does not reimburse the county for costs associated with criminal
33 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
34 which the city is located. This funding is provided to cities for the
35 costs of implementing criminal justice legislation including, but not

1 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
2 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
3 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
4 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
5 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
6 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
7 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
8 Laws of 1998 (DUI provisions).

9 NEW SECTION. **Sec. 804. FOR THE STATE TREASURER--FEDERAL REVENUES**
10 **FOR DISTRIBUTION**

11	General Fund Appropriation for federal flood control	
12	funds distribution	\$74,000
13	General Fund Appropriation for federal grazing fees	
14	distribution	\$2,430,000
15	Forest Reserve Fund Appropriation for federal forest	
16	reserve fund distribution	\$29,175,000
17	TOTAL APPROPRIATION	\$31,679,000

18 The total expenditures from the state treasury under the
19 appropriations in this section shall not exceed the funds available
20 under statutory distributions for the stated purposes.

21 NEW SECTION. **Sec. 805. FOR THE STATE TREASURER--TRANSFERS**

22	State Treasurer's Service Account: For transfer to	
23	the state general fund, \$10,000,000 for fiscal	
24	year 2012 and \$10,000,000 for fiscal year 2013	\$20,000,000
25	Waste Reduction, Recycling, and Litter Control	
26	Account: For transfer to the state general	
27	fund, \$2,000,000 for fiscal year 2012 and	
28	\$2,000,000 for fiscal year 2013	\$4,000,000
29	Education Construction Account: For transfer to the	
30	state general fund, \$102,000,000 for fiscal year	
31	2012 and \$102,000,000 for fiscal year 2013	\$204,000,000
32	Aquatics Lands Enhancement Account: For transfer to	
33	the state general fund, \$3,500,000 for fiscal	
34	year 2012 and \$3,500,000 for fiscal year 2013	\$7,000,000
35	Drinking Water Assistance Account: For transfer to	
36	the drinking water assistance repayment account	\$38,000,000

1 Economic Development Strategic Reserve Account: For
2 transfer to the state general fund, \$2,100,000
3 for fiscal year 2012 and \$2,100,000 for fiscal
4 year 2013 \$4,200,000
5 Tobacco Settlement Account: For transfer to the
6 state general fund \$158,205,000
7 Tobacco Settlement Account: For transfer to the
8 life sciences discovery fund \$55,788,000
9 General Fund: For transfer to the streamline sales
10 and use tax account, \$24,933,000 for fiscal year
11 2012 and \$24,883,000 for fiscal year 2013 \$49,816,000
12 Public Works Assistance Account: For transfer to the
13 water pollution control revolving account,
14 \$7,750,000 for fiscal year 2012 and \$7,750,000 for
15 fiscal year 2013 \$15,500,000
16 The Charitable, Educational, Penal, and Reformatory
17 Institutions Account: For transfer to the state
18 general fund, \$4,500,000 for fiscal year 2012 and
19 \$4,500,000 for fiscal year 2013 \$9,000,000
20 Thurston County Capital Facilities Account: For
21 transfer to the state general fund, \$4,000,000
22 for fiscal year 2012 and \$4,000,000 for fiscal
23 year 2013 \$8,000,000
24 Liquor Revolving Account: For transfer to the state
25 general fund, \$42,500,000 for fiscal year 2012 and
26 \$42,500,000 for fiscal year 2013 \$85,000,000
27 Public Works Assistance Account: For transfer to the
28 drinking water assistance account, \$8,000,000 for
29 fiscal year 2012 and \$8,000,000 for fiscal year
30 2013 \$16,000,000
31 Liquor Control Board Construction and Maintenance
32 Account: For transfer to the state general fund,
33 \$500,000 for fiscal year 2012 and \$500,000 for
34 fiscal year 2013 \$1,000,000
35 Education Savings Account: For transfer to the state
36 general fund, \$22,500,000 for fiscal year 2012
37 and \$22,500,000 for fiscal year 2013 \$45,000,000
38 Department of Retirement Systems Expense Account:

1 For transfer to the state general fund, \$250,000
 2 for fiscal year 2012 and \$250,000 for fiscal year
 3 2013 \$500,000
 4 Home Security Fund Account: For transfer to the
 5 transitional housing operating and rent account,
 6 \$3,750,000 for fiscal year 2012 and \$3,750,000 for
 7 fiscal year 2013 \$7,500,000
 8 Enhanced 911 Account: For transfer to the disaster
 9 response account, \$3,000,000 for fiscal year 2012
 10 and \$3,000,000 for fiscal year 2013 \$6,000,000
 11 Cleanup Settlement Account: For transfer to the
 12 state efficiency and restructuring account,
 13 \$3,500,000 for fiscal year 2012 and \$3,500,000
 14 for fiscal year 2013 \$7,000,000

(End of part)

PART IX
MISCELLANEOUS

NEW SECTION. **Sec. 901. EXPENDITURE AUTHORIZATIONS**

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2009-2011 biennium.

NEW SECTION. **Sec. 902. EMERGENCY FUND ALLOCATIONS**

Whenever allocations are made from the governor's emergency fund appropriation to an agency that is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. An appropriation is not necessary to effect such repayment.

NEW SECTION. **Sec. 903. STATUTORY APPROPRIATIONS**

In addition to the amounts appropriated in this act for revenues for distribution, state contributions to the law enforcement officers' and fire fighters' retirement system plan 2, and bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under chapters 39.94 and 39.96 RCW or any proper bond covenant made under law.

NEW SECTION. **Sec. 904. BOND EXPENSES**

In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the applicable construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

1 NEW SECTION. **Sec. 905. VOLUNTARY RETIREMENT, SEPARATION, AND**
2 **DOWNSHIFTING INCENTIVES**

3 As a management tool to reduce costs and make more effective use of
4 resources, while improving employee productivity and morale, agencies
5 may implement a voluntary retirement, separation, and/or downshifting
6 incentive program that is cost neutral or results in cost savings over
7 a two-year period following the commencement of the program, provided
8 that such a program is approved by the director of financial
9 management. Agencies participating in this authorization may offer
10 voluntary retirement, separation, and/or downshifting incentives and
11 options according to procedures and guidelines established by the
12 office of financial management, in consultation with the department of
13 personnel and the department of retirement systems. The options may
14 include, but are not limited to, financial incentives for: Voluntary
15 separation or retirement, voluntary leave without pay, voluntary work
16 week or work hour reduction, voluntary downward movement, or temporary
17 separation for development purposes. An employee does not have a
18 contractual right to a financial incentive offered pursuant to this
19 section. Offers shall be reviewed and monitored jointly by the
20 department of personnel and the department of retirement systems.
21 Agencies are required to submit a report by June 30, 2013, to the
22 legislature and the office of financial management on the outcome of
23 their approved incentive program. The report should include
24 information on the details of the program including the cost of the
25 incentive per participant, the total cost to the state, and the
26 projected or actual net dollar savings over the 2011-2013 biennium.

27 NEW SECTION. **Sec. 906. COMPENSATION--REVISE PENSION CONTRIBUTION**
28 **RATES**

29 The appropriations for school districts and state agencies,
30 including institutions of higher education are subject to the following
31 conditions and limitations: Appropriations are adjusted to reflect
32 changes to agency appropriations to reflect savings resulting from
33 changes to pension plans under House Bill No. . . . or Senate Bill No.
34 (executive request legislation).

35 NEW SECTION. **Sec. 907. COLLECTIVE BARGAINING AGREEMENTS NOT**
36 **IMPAIRED**

1 Nothing in this act prohibits the expenditure of any funds by an
2 agency or institution of the state for benefits guaranteed by any
3 collective bargaining agreement in effect on the effective date of this
4 section.

5 NEW SECTION. **Sec. 908. COLLECTIVE BARGAINING AGREEMENTS**

6 The following sections represent the results of the 2011-2013
7 collective bargaining process required under the provisions of chapters
8 41.80 and 41.56 RCW. Provisions of the collective bargaining
9 agreements contained in this act are described in general terms. Only
10 major economic terms are included in the descriptions. These
11 descriptions do not contain the complete contents of the agreements.
12 The collective bargaining agreements or the continuation of terms and
13 conditions of the 2009-2011 agreements contained in Part IX of this act
14 may also be funded by expenditures from nonappropriated accounts. If
15 positions are funded with lidded grants or dedicated fund sources with
16 insufficient revenue, additional funding from other sources is not
17 provided.

18 NEW SECTION. **Sec. 909. COLLECTIVE BARGAINING AGREEMENTS--WFSE,
19 TEAMSTERS, UFCW, WAFWP, IFPTE 17, COALITION OF UNIONS**

20 Agreements have been reached between the governor and the following
21 unions: Washington federation of state employees, teamsters local
22 union 117, united food and commercial workers, Washington association
23 of fish and wildlife professionals, international federation of
24 professional and technical engineers local 17, and the coalition of
25 unions, under the provisions of chapter 41.80 RCW for the 2011-2013
26 biennium subject to union internal processes/procedures. Funding is
27 reduced to reflect a 3.0 percent temporary salary reduction for all
28 employees making \$2,500 or more per month covered under the agreements
29 for fiscal years 2012 and 2013 through June 29, 2013. Effective June
30 30, 2013, the salary schedules effective July 1, 2009, through June 30,
31 2011 will be reinstated. Temporary salary reduction leave is granted
32 for the term of the 2011-2013 agreement.

33 NEW SECTION. **Sec. 910. COLLECTIVE BARGAINING AGREEMENT--SEIU
34 HEALTHCARE 1199NW**

1 An agreement has been reached between the governor and the service
2 employees international union healthcare 1199nw under the provisions of
3 chapter 41.80 RCW for the 2011-2013 biennium subject to union internal
4 processes/procedures. Funding is reduced to reflect 8 days of leave
5 without pay per year for fiscal years 2012 and 2013.

6 NEW SECTION. **Sec. 911. COLLECTIVE BARGAINING AGREEMENT--TERMS**
7 **AND CONDITIONS**

8 No agreements have been reached between the governor and the
9 following unions: Washington public employees association, Washington
10 public employees association higher education community college
11 coalition, Washington federation of state employees higher education
12 community college coalition, Washington federation of state employees
13 Central Washington University, Washington federation of state employees
14 Western Washington University, Washington federation of state employees
15 The Evergreen State College, and public school employees Western
16 Washington University, under the provisions of chapter 41.80 RCW for
17 the 2011-2013 biennium. Appropriations in this act provide funding to
18 continue the terms and conditions of the 2009-2011 general government
19 and higher education agreements negotiated by the office of financial
20 management's labor relations office under the provisions of chapter
21 41.80 RCW. For fiscal year 2012, appropriations have been reduced in
22 an amount equal to a 3 percent salary reduction for all represented
23 employees making \$2,500 or more per month. This reduction will be
24 implemented according to the terms and conditions of the 2009-2011
25 agreements. For fiscal year 2013, funding is reduced to reflect a 3.0
26 percent temporary salary reduction for all employees making \$2,500 or
27 more per month through June 29, 2013. Effective June 30, 2013, the
28 salary schedules effective July 1, 2009, through June 30, 2011, will be
29 reinstated. Temporary salary reduction leave is granted for fiscal
30 year 2013. These changes will be implemented according to law.

31 NEW SECTION. **Sec. 912. COLLECTIVE BARGAINING AGREEMENT--WSP**
32 **TROOPERS ASSOCIATION**

33 No agreement has been reached between the governor and the
34 Washington state patrol trooper's association under the provisions of
35 chapter 41.56 RCW for the 2011-2013 biennium. Appropriations in this

1 act for the Washington state patrol provide funding to continue the
2 provisions of the 2009-2011 agreement.

3 NEW SECTION. **Sec. 913. COLLECTIVE BARGAINING AGREEMENT--WSP**
4 **LIEUTENANTS ASSOCIATION**

5 No agreement has been reached between the governor and the
6 Washington state patrol lieutenant's association under the provisions
7 of chapter 41.56 RCW for the 2011-2013 biennium. Appropriations in
8 this act for the Washington state patrol provide funding to continue
9 the provisions of the 2009-2011 agreement.

10 NEW SECTION. **Sec. 914. COLLECTIVE BARGAINING AGREEMENT FOR**
11 **NONSTATE EMPLOYEES--SEIU HEALTHCARE 775NW HOMECARE WORKERS**

12 An agreement has been reached between the governor and the service
13 employees international union healthcare 775nw under the provision of
14 chapter 74.39A RCW for the 2011-2013 biennium, subject to union
15 internal processes/procedures. Appropriations in this act include an
16 increase in the state's health care contribution for individual
17 providers of home care services. Due to policy reductions elsewhere in
18 this act that reduce personal care hours, delay increases to required
19 training, and modify agency parity requirements, no additional
20 appropriation is included for the health care increase. Appropriations
21 in this act are reduced to reflect a reduced contribution to the
22 training partnership due to the delay in the implementation of
23 increased required training.

24 NEW SECTION. **Sec. 915. COLLECTIVE BARGAINING AGREEMENT FOR**
25 **NONSTATE EMPLOYEES--SEIU LOCAL 925 CHILDCARE WORKERS**

26 An agreement has been reached between the governor and the service
27 employees international union local 925 under the provisions of chapter
28 41.56 RCW for the 2011-2013 biennium, subject to union internal
29 processes/procedures. Funding for an increase in the state's health
30 care contribution for childcare workers is included in the budget.

31 NEW SECTION. **Sec. 916. COLLECTIVE BARGAINING AGREEMENT FOR**
32 **NONSTATE EMPLOYEES--WSRCC ADULT FAMILY HOMES**

33 Appropriations in this act reflect the collective bargaining
34 agreement reached between the governor and the Washington state

1 residential care council under the provisions of chapter 41.56 RCW for
2 the 2011-2013 biennium. For those covered under this agreement,
3 economic provisions are the same as the terms and conditions in the
4 2009-2011 agreement.

5 NEW SECTION. **Sec. 917. AGREEMENTS AND TERMS AND CONDITIONS NOT**
6 **NEGOTIATED BY THE OFFICE OF FINANCIAL MANAGEMENT'S LABOR RELATIONS**
7 **OFFICE**

8 No agreements under chapter 41.80 RCW have been reached between the
9 University of Washington, Washington State University, except as
10 specifically set forth in this act, Eastern Washington University, and
11 the Yakima Valley community college with their respective exclusive
12 bargaining representatives under the provisions of chapter 41.80 RCW
13 for the 2011-2013 biennium. Appropriations in this act provide funding
14 to continue the terms and conditions of the 2009-2011 agreements. For
15 fiscal years 2012, appropriations have been reduced in an amount equal
16 to a 3 percent salary reduction for all represented employees making
17 \$2,500 or more per month. This reduction will be implemented according
18 to the terms and conditions of the 2009-2011 agreements. For fiscal
19 year 2013, funding is reduced in an amount equal to a 3 percent salary
20 reduction for all represented employees making \$2,500 or more per
21 month. This reduction will be implemented according to law.

22 NEW SECTION. **Sec. 918. COLLECTIVE BARGAINING AGREEMENT--CENTRAL**
23 **WASHINGTON UNIVERSITY PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

24 An agreement has been reached between Central Washington University
25 and the public school employees of Washington under the provisions of
26 chapter 41.80 RCW for the 2011-2013 biennium subject to union internal
27 processes/procedures. Funding is reduced to reflect a 3.0 percent
28 temporary salary reduction for all employees making \$2,500 or more per
29 month for fiscal years 2012 and 2013 through June 29, 2013. Effective
30 June 30, 2013, the salary schedules effective July 1, 2009 through June
31 30, 2011 will be reinstated. Temporary salary reduction leave is
32 granted for the term of the 2011-2013 agreement.

33 NEW SECTION. **Sec. 919. COLLECTIVE BARGAINING AGREEMENT--**
34 **WASHINGTON STATE UNIVERSITY POLICE GUILD**

1 An agreement has been reached between Washington State University
2 and the Washington State University police guild. The financial
3 provisions of the 2009-2011 remain in place for the 2011-2013 biennium.

4 NEW SECTION. **Sec. 920. COMPENSATION--NONREPRESENTED EMPLOYEES--**
5 **INSURANCE BENEFITS**

6 Appropriations for state agencies in this act are sufficient for
7 nonrepresented state employee health benefits for state agencies,
8 including institutions of higher education, and are subject to the
9 following conditions and limitations:

10 (1)(a) The monthly employer funding rate for insurance benefit
11 premiums, public employees' benefits board administration, and the
12 uniform medical plan, shall not exceed \$850 per eligible employee for
13 fiscal year 2012. For fiscal year 2013 the monthly employer funding
14 rate shall not exceed \$850 per eligible employee.

15 (b) In order to achieve the level of funding provided for health
16 benefits, the public employees' benefits board shall require any or all
17 of the following: Employee premium copayments, increases in point-of-
18 service cost sharing, the implementation of managed competition, or
19 make other changes to benefits consistent with RCW 41.05.065.

20 (c) The health care authority shall deposit any moneys received on
21 behalf of the uniform medical plan as a result of rebates on
22 prescription drugs, audits of hospitals, subrogation payments, or any
23 other moneys recovered as a result of prior uniform medical plan claims
24 payments, into the public employees' and retirees' insurance account to
25 be used for insurance benefits. Such receipts shall not be used for
26 administrative expenditures.

27 (2) The health care authority, subject to the approval of the
28 public employees' benefits board, shall provide subsidies for health
29 benefit premiums to eligible retired or disabled public employees and
30 school district employees who are eligible for medicare, pursuant to
31 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
32 \$150.00 per month.

33 (3) Technical colleges, school districts, and educational service
34 districts shall remit to the health care authority for deposit into the
35 public employees' and retirees' insurance account established in RCW
36 41.05.120 the following amounts:

1 (a) For each full-time employee, \$67.42 per month beginning
2 September 1, 2011, and \$68.94 beginning September 1, 2012;

3 (b) For each part-time employee, who at the time of the remittance
4 is employed in an eligible position as defined in RCW 41.32.010 or
5 41.40.010 and is eligible for employer fringe benefit contributions for
6 basic benefits, \$67.42 each month beginning September 1, 2011, and
7 \$68.94 beginning September 1, 2012, prorated by the proportion of
8 employer fringe benefit contributions for a full-time employee that the
9 part-time employee receives. The remittance requirements specified in
10 this subsection shall not apply to employees of a technical college,
11 school district, or educational service district who purchase insurance
12 benefits through contracts with the health care authority.

13 NEW SECTION. **Sec. 921. COMPENSATION--REPRESENTED EMPLOYEES**
14 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

15 Appropriations for state agencies in this act are sufficient for
16 represented employees outside the super coalition for health benefits,
17 and are subject to the following conditions and limitations:

18 (1)(a) The monthly employer funding rate for insurance benefit
19 premiums, public employees' benefits board administration, and the
20 uniform medical plan, shall not exceed \$850 per eligible employee for
21 fiscal year 2012. For fiscal year 2013 the monthly employer funding
22 rate shall not exceed \$850 per eligible employee.

23 (b) In order to achieve the level of funding provided for health
24 benefits, the public employees' benefits board shall require any or all
25 of the following: Employee premium copayments, increases in point-of-
26 service cost sharing, the implementation of managed competition, or
27 make other changes to benefits consistent with RCW 41.05.065.

28 (c) The health care authority shall deposit any moneys received on
29 behalf of the uniform medical plan as a result of rebates on
30 prescription drugs, audits of hospitals, subrogation payments, or any
31 other moneys recovered as a result of prior uniform medical plan claims
32 payments, into the public employees' and retirees' insurance account to
33 be used for insurance benefits. Such receipts shall not be used for
34 administrative expenditures.

35 (2) The health care authority, subject to the approval of the
36 public employees' benefits board, shall provide subsidies for health
37 benefit premiums to eligible retired or disabled public employees and

1 school district employees who are eligible for medicare, pursuant to
2 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
3 \$150.00 per month.

4 (3) Technical colleges, school districts, and educational service
5 districts shall remit to the health care authority for deposit into the
6 public employees' and retirees' insurance account established in RCW
7 41.05.120 the following amounts:

8 (a) For each full-time employee, \$67.42 per month beginning
9 September 1, 2011, and \$68.94 beginning September 1, 2012;

10 (b) For each part-time employee, who at the time of the remittance
11 is employed in an eligible position as defined in RCW 41.32.010 or
12 41.40.010 and is eligible for employer fringe benefit contributions for
13 basic benefits, \$67.42 each month beginning September 1, 2011, and
14 \$68.94 beginning September 1, 2012, prorated by the proportion of
15 employer fringe benefit contributions for a full-time employee that the
16 part-time employee receives. The remittance requirements specified in
17 this subsection shall not apply to employees of a technical college,
18 school district, or educational service district who purchase insurance
19 benefits through contracts with the health care authority.

20 NEW SECTION. **Sec. 922. COMPENSATION--REPRESENTED EMPLOYEES--**
21 **SUPER COALITION--INSURANCE BENEFITS**

22 The collective bargaining agreement negotiated with the super
23 coalition under chapter 41.80 RCW includes employer premiums at 85
24 percent of the total weighted average of the projected health care
25 premiums across all plans and tiers. Appropriations in this act for
26 state agencies, including institutions of higher education are
27 sufficient to fund state employees health benefits for employees
28 represented by the super coalition on health benefits, and are subject
29 to the following conditions and limitations:

30 (1)(a) The monthly employer funding rate for insurance benefit
31 premiums, public employees' benefits board administration, and the
32 uniform medical plan, shall not exceed \$850 per eligible employee for
33 fiscal year 2012. For fiscal year 2013 the monthly employer funding
34 rate shall not exceed \$850 per eligible employee.

35 (b) In order to achieve the level of funding provided for health
36 benefits, the public employees' benefits board shall require any or all

1 of the following: Employee premium copayments, increases in point-of-
2 service cost sharing, the implementation of managed competition, or
3 make other changes to benefits consistent with RCW 41.05.065.

4 (c) The health care authority shall deposit any moneys received on
5 behalf of the uniform medical plan as a result of rebates on
6 prescription drugs, audits of hospitals, subrogation payments, or any
7 other moneys recovered as a result of prior uniform medical plan claims
8 payments, into the public employees' and retirees' insurance account to
9 be used for insurance benefits. Such receipts shall not be used for
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the
12 public employees' benefits board, shall provide subsidies for health
13 benefit premiums to eligible retired or disabled public employees and
14 school district employees who are eligible for medicare, pursuant to
15 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
16 \$150.00 per month.

17 **Sec. 923.** RCW 15.76.115 and 2010 1st sp.s. c 37 s 912 are each
18 amended to read as follows:

19 The fair fund is created in the custody of the state treasury. All
20 moneys received by the department of agriculture for the purposes of
21 this fund and from RCW 67.16.105(~~((4))~~) (7) shall be deposited into the
22 fund. At the beginning of fiscal year 2002 and each fiscal year
23 thereafter, the state treasurer shall transfer into the fair fund from
24 the general fund the sum of two million dollars, except for fiscal
25 ~~((year))~~ biennium 2011-2013. The state treasurer shall transfer into
26 the fair fund from the general fund the sum of ~~((one million one~~
27 ~~hundred three))~~ five hundred thousand dollars in fiscal year 2012 and
28 five hundred thousand dollars in fiscal year 2013. Expenditures from
29 the fund may be used only for assisting fairs in the manner provided in
30 this chapter. Only the director of agriculture or the director's
31 designee may authorize expenditures from the fund. The fund is subject
32 to allotment procedures under chapter 43.88 RCW, but no appropriation
33 is required for expenditures.

34 **Sec. 924.** RCW 28A.600.110 and 2005 c 518 s 915 are each amended to
35 read as follows:

1 There is established by the legislature of the state of Washington
2 the Washington state scholars program. The purposes of this program
3 annually are to:

4 (1) Provide for the selection of three seniors residing in each
5 legislative district in the state graduating from high schools who have
6 distinguished themselves academically among their peers, except that
7 (~~during fiscal year 2007, no more than two seniors plus one alternate~~
8 ~~may be selected~~) selections shall not be made during the 2011-2013
9 fiscal biennium.

10 (2) Maximize public awareness of the academic achievement,
11 leadership ability, and community contribution of Washington state
12 public and private high school seniors through appropriate recognition
13 ceremonies and events at both the local and state level.

14 (3) Provide a listing of the Washington scholars to all Washington
15 state public and private colleges and universities to facilitate
16 communication regarding academic programs and scholarship availability.

17 (4) Make available a state level mechanism for utilization of
18 private funds for scholarship awards to outstanding high school
19 seniors.

20 (5) Provide, on written request and with student permission, a
21 listing of the Washington scholars to private scholarship selection
22 committees for notification of scholarship availability.

23 (6) Permit a waiver of tuition and services and activities fees as
24 provided for in RCW 28B.15.543 and grants under RCW 28B.76.660.

25 **Sec. 925.** RCW 28A.600.150 and 2005 c 518 s 916 are each amended to
26 read as follows:

27 Each year, three Washington scholars and one Washington scholars-
28 alternate shall be selected from the students nominated under RCW
29 28A.600.140, except that (~~during fiscal year 2007, no more than two~~
30 ~~scholars plus one alternate may be selected~~) selections shall not be
31 made during the 2011-2013 fiscal biennium. The higher education
32 coordinating board shall notify the students so designated, their high
33 school principals, the legislators of their respective districts, and
34 the governor when final selections have been made.

35 The board, in conjunction with the governor's office, shall prepare
36 appropriate certificates to be presented to the Washington scholars and
37 the Washington scholars-alternates. An awards ceremony at an

1 appropriate time and place shall be planned by the board in cooperation
2 with the Washington association of secondary school principals, and
3 with the approval of the governor.

4 **Sec. 926.** RCW 28B.76.660 and 2005 c 518 s 917 are each amended to
5 read as follows:

6 (1) Recipients of the Washington scholars award or the Washington
7 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
8 choose to attend an independent college or university in this state, as
9 defined in subsection (4) of this section, and recipients of the award
10 named after June 30, 1994, who choose to attend a public college or
11 university in the state may receive grants under this section if moneys
12 are available. The higher education coordinating board shall
13 distribute grants to eligible students under this section from moneys
14 appropriated for this purpose. The individual grants shall not exceed,
15 on a yearly basis, the yearly, full-time, resident, undergraduate
16 tuition and service and activities fees in effect at the state-funded
17 research universities. Grants to recipients attending an independent
18 institution shall be contingent upon the institution matching on at
19 least a dollar-for-dollar basis, either with actual money or by a
20 waiver of fees, the amount of the grant received by the student from
21 the state. The higher education coordinating board shall establish
22 procedures, by rule, to disburse the awards as direct grants to the
23 students.

24 (2) The higher education coordinating board shall establish rules
25 that provide for the annual awarding of grants, if moneys are
26 available, to three Washington scholars per legislative district except
27 for (~~fiscal year 2007 when no more than two scholars per district~~)
28 the 2011-2013 fiscal biennium when scholars shall not be selected; and,
29 if not used by an original recipient, to the Washington scholars-
30 alternate from the same legislative district.

31 Beginning with scholars selected in the year 2000, if the
32 recipients of grants fail to demonstrate in a timely manner that they
33 will enroll in a Washington institution of higher education in the fall
34 term of the academic year following the award of the grant or are
35 deemed by the higher education coordinating board to have withdrawn
36 from college during the first academic year following the award, then
37 the grant shall be considered relinquished. The higher education

1 coordinating board may then award any remaining grant amounts to the
2 Washington scholars-alternate from the same legislative district if the
3 grants are awarded within one calendar year of the recipient being
4 named a Washington scholars-alternate. Washington scholars-alternates
5 named as recipients of the grant must also demonstrate in a timely
6 manner that they will enroll in a Washington institution of higher
7 education during the next available term, as determined by the higher
8 education coordinating board. The board may accept appeals and grant
9 waivers to the enrollment requirements of this section based on
10 exceptional mitigating circumstances of individual grant recipients.

11 To maintain eligibility for the grants, recipients must maintain a
12 minimum grade point average at the college or university equivalent to
13 3.30. Students shall be eligible to receive a maximum of twelve
14 quarters or eight semesters of grants for undergraduate study and may
15 transfer among in-state public and independent colleges and
16 universities during that period and continue to receive the grant as
17 provided under RCW 28B.76.665. If the student's cumulative grade point
18 average falls below 3.30 during the first three quarters or two
19 semesters, that student may petition the higher education coordinating
20 board which shall have the authority to establish a probationary period
21 until such time as the student's grade point average meets required
22 standards.

23 (3) No grant shall be awarded to any student who is pursuing a
24 degree in theology.

25 (4) As used in this section, "independent college or university"
26 means a private, nonprofit educational institution, the main campus of
27 which is permanently situated in the state, open to residents of the
28 state, providing programs of education beyond the high school level
29 leading at least to the baccalaureate degree, and accredited by the
30 northwest association of schools and colleges as of June 9, 1988, and
31 other institutions as may be developed that are approved by the higher
32 education coordinating board as meeting equivalent standards as those
33 institutions accredited under this section.

34 (5) As used in this section, "public college or university" means
35 an institution of higher education as defined in RCW 28B.10.016.

36 **Sec. 927.** RCW 28B.102.040 and 2008 c 170 s 306 are each amended to
37 read as follows:

1 (1) Except during the 2011-2013 fiscal biennium, the board may
2 select participants based on an application process conducted by the
3 board or the board may utilize selection processes for similar students
4 in cooperation with the professional educator standards board or the
5 office of the superintendent of public instruction.

6 (2) If the board selects participants for the program, it shall
7 establish a selection committee for screening and selecting recipients
8 of the conditional scholarships. The criteria shall emphasize factors
9 demonstrating excellence including but not limited to superior
10 scholastic achievement, leadership ability, community contributions,
11 bilingual ability, willingness to commit to providing teaching service
12 in shortage areas, and an ability to act as a role model for students.
13 Priority will be given to individuals seeking certification or an
14 additional endorsement in math, science, technology education,
15 agricultural education, business and marketing education, family and
16 consumer science education, or special education.

17 **Sec. 928.** RCW 28B.102.050 and 2004 c 58 s 6 are each amended to
18 read as follows:

19 Except during the 2011-2013 fiscal biennium, the board may award
20 conditional scholarships or provide loan repayments to eligible
21 participants from the funds appropriated to the board for this purpose,
22 or from any private donations, or any other funds given to the board
23 for this program. The amount of the conditional scholarship or loan
24 repayment awarded an individual shall not exceed the amount of tuition
25 and fees at the institution of higher education attended by the
26 participant or resident undergraduate tuition and fees at the
27 University of Washington per academic year for a full-time student,
28 whichever is lower. Participants are eligible to receive conditional
29 scholarships or loan repayments for a maximum of five years.

30 **Sec. 929.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to
31 read as follows:

32 (1) Beginning with the 2007-08 academic year and ending with the
33 2016-17 academic year, tuition fees charged to full-time resident
34 undergraduate students, except in academic years ((~~2009-10~~ and)) 2010-
35 11, 2011-12, and 2012-13 may increase no greater than seven percent
36 over the previous academic year in any institution of higher education.

1 Annual reductions or increases in full-time tuition fees for resident
2 undergraduate students shall be as provided in the omnibus
3 appropriations act, within the seven percent increase limit established
4 in this section. For academic years (~~((2009-10 and))~~) 2010-11, 2011-12,
5 and 2012-13 the omnibus appropriations act may provide tuition
6 increases greater than seven percent. To the extent that state
7 appropriations combined with tuition and fee revenues are insufficient
8 to achieve the total per-student funding goals established in
9 subsection (2) of this section, the legislature may revisit state
10 appropriations, authorized enrollment levels, and changes in tuition
11 fees for any given fiscal year.

12 (2) The state shall adopt as its goal total per-student funding
13 levels, from state appropriations plus tuition and fees, of at least
14 the sixtieth percentile of total per-student funding at similar public
15 institutions of higher education in the global challenge states. In
16 defining comparable per-student funding levels, the office of financial
17 management shall adjust for regional cost-of-living differences; for
18 differences in program offerings and in the relative mix of lower
19 division, upper division, and graduate students; and for accounting and
20 reporting differences among the comparison institutions. The office of
21 financial management shall develop a funding trajectory for each four-
22 year institution of higher education and for the community and
23 technical college system as a whole that when combined with tuition and
24 fees revenue allows the state to achieve its funding goal for each
25 four-year institution and the community and technical college system as
26 a whole no later than fiscal year 2017. The state shall not reduce
27 enrollment levels below fiscal year 2007 budgeted levels in order to
28 improve or alter the per-student funding amount at any four-year
29 institution of higher education or the community and technical college
30 system as a whole. The state recognizes that each four-year
31 institution of higher education and the community and technical college
32 system as a whole have different funding requirements to achieve
33 desired performance levels, and that increases to the total per-student
34 funding amount may need to exceed the minimum funding goal.

35 (3) By September 1st of each year beginning in 2008, the office of
36 financial management shall report to the governor, the higher education
37 coordinating board, and appropriate committees of the legislature with
38 updated estimates of the total per-student funding level that

1 represents the sixtieth percentile of funding for comparable
2 institutions of higher education in the global challenge states, and
3 the progress toward that goal that was made for each of the public
4 institutions of higher education.

5 (4) As used in this section, "global challenge states" are the top
6 performing states on the new economy index published by the progressive
7 policy institute as of July 22, 2007. The new economy index ranks
8 states on indicators of their potential to compete in the new economy.
9 At least once every five years, the office of financial management
10 shall determine if changes to the list of global challenge states are
11 appropriate. The office of financial management shall report its
12 findings to the governor and the legislature.

13 (5) During the 2009-10 and the 2010-11 academic years, institutions
14 of higher education shall include information on their billing
15 statements notifying students of tax credits available through the
16 American opportunity tax credit provided in the American recovery and
17 reinvestment act of 2009.

18 **Sec. 930.** RCW 28B.115.080 and 1993 c 492 s 271 are each amended to
19 read as follows:

20 (~~After June 1, 1992,~~) Except for the 2011-12 and 2012-13 school
21 years, the board, in consultation with the department and the
22 department of social and health services, shall:

23 (1) Establish the annual award amount for each credentialed health
24 care profession which shall be based upon an assessment of reasonable
25 annual eligible expenses involved in training and education for each
26 credentialed health care profession. The annual award amount may be
27 established at a level less than annual eligible expenses. The annual
28 award amount shall be established by the board for each eligible health
29 profession. The awards shall not be paid for more than a maximum of
30 five years per individual;

31 (2) Determine any scholarship awards for prospective physicians in
32 such a manner to require the recipients declare an interest in serving
33 in rural areas of the state of Washington. Preference for scholarships
34 shall be given to students who reside in a rural physician shortage
35 area or a nonshortage rural area of the state prior to admission to the
36 eligible education and training program in medicine. Highest
37 preference shall be given to students seeking admission who are

1 recommended by sponsoring communities and who declare the intent of
2 serving as a physician in a rural area. The board may require the
3 sponsoring community located in a nonshortage rural area to financially
4 contribute to the eligible expenses of a medical student if the student
5 will serve in the nonshortage rural area;

6 (3) Establish the required service obligation for each credentialed
7 health care profession, which shall be no less than three years or no
8 more than five years. The required service obligation may be based
9 upon the amount of the scholarship or loan repayment award such that
10 higher awards involve longer service obligations on behalf of the
11 participant;

12 (4) Determine eligible education and training programs for purposes
13 of the scholarship portion of the program;

14 (5) Honor loan repayment and scholarship contract terms negotiated
15 between the board and participants prior to May 21, 1991, concerning
16 loan repayment and scholarship award amounts and service obligations
17 authorized under chapter 28B.115(~~(, 28B.104,)~~) or 70.180 RCW.

18 **Sec. 931.** RCW 28B.117.030 and 2007 c 314 s 4 are each amended to
19 read as follows:

20 (1) The higher education coordinating board shall design and, to
21 the extent funds are appropriated for this purpose, implement, a
22 program of supplemental scholarship and student assistance for students
23 who have emancipated from the state foster care system after having
24 spent at least one year in care. New awards shall not be granted
25 beginning July 1, 2011, through June 30, 2013.

26 (2) The board shall convene and consult with an advisory committee
27 to assist with program design and implementation. The committee shall
28 include but not be limited to former foster care youth and their
29 advocates; representatives from the state board for community and
30 technical colleges, and from public and private agencies that assist
31 current and former foster care recipients in their transition to
32 adulthood; and student support specialists from public and private
33 colleges and universities.

34 (3) To the extent that sufficient funds have been appropriated for
35 this purpose, a student is eligible for assistance under this section
36 if he or she:

1 (a) Emancipated from foster care on or after January 1, 2007, after
2 having spent at least one year in foster care subsequent to his or her
3 sixteenth birthday;

4 (b) Is a resident student, as defined in RCW 28B.15.012(2);

5 (c) Is enrolled with or will enroll on at least a half-time basis
6 with an institution of higher education in Washington state by the age
7 of twenty-one;

8 (d) Is making satisfactory academic progress toward the completion
9 of a degree or certificate program, if receiving supplemental
10 scholarship assistance;

11 (e) Has not earned a bachelor's or professional degree; and

12 (f) Is not pursuing a degree in theology.

13 (4) A passport to college scholarship under this section:

14 (a) Shall not exceed resident undergraduate tuition and fees at the
15 highest-priced public institution of higher education in the state; and

16 (b) Shall not exceed the student's financial need, less a
17 reasonable self-help amount defined by the board, when combined with
18 all other public and private grant, scholarship, and waiver assistance
19 the student receives.

20 (5) An eligible student may receive a passport to college
21 scholarship under this section for a maximum of five years after the
22 student first enrolls with an institution of higher education or until
23 the student turns age twenty-six, whichever occurs first. If a student
24 turns age twenty-six during an academic year, and would otherwise be
25 eligible for a scholarship under this section, the student shall
26 continue to be eligible for a scholarship for the remainder of the
27 academic year.

28 (6) The higher education coordinating board, in consultation with
29 and with assistance from the state board for community and technical
30 colleges, shall perform an annual analysis to verify that those
31 institutions of higher education at which students have received a
32 scholarship under this section have awarded the student all available
33 need-based and merit-based grant and scholarship aid for which the
34 student qualifies.

35 (7) In designing and implementing the passport to college student
36 support program under this section, the board, in consultation with and
37 with assistance from the state board for community and technical
38 colleges, shall ensure that a participating college or university:

1 (a) Has a viable plan for identifying students eligible for
2 assistance under this section, for tracking and enhancing their
3 academic progress, for addressing their unique needs for assistance
4 during school vacations and academic interims, and for linking them to
5 appropriate sources of assistance in their transition to adulthood;

6 (b) Receives financial and other incentives for achieving
7 measurable progress in the recruitment, retention, and graduation of
8 eligible students.

9 NEW SECTION. Sec. 932. Section 931 (RCW 28B.117.030) of this act
10 expires June 30, 2013.

11 **Sec. 933.** RCW 28B.117.040 and 2007 c 314 s 5 are each amended to
12 read as follows:

13 Effective operation of the passport to college promise pilot
14 program requires early and accurate identification of former foster
15 care youth so that they can be linked to the financial and other
16 assistance that will help them succeed in college. To that end:

17 (1) All institutions of higher education that receive funding for
18 student support services under RCW 28B.117.030 shall include on their
19 applications for admission or on their registration materials a
20 question asking whether the applicant has been in foster care in
21 Washington state for at least one year since his or her sixteenth
22 birthday. All other institutions of higher education are strongly
23 encouraged to include such a question. No institution may consider
24 whether an applicant may be eligible for a scholarship or student
25 support services under this chapter when deciding whether the applicant
26 will be granted admission.

27 (2) The department of social and health services shall devise and
28 implement procedures for efficiently, promptly, and accurately
29 identifying students and applicants who are eligible for services under
30 RCW 28B.117.030, and for sharing that information with the higher
31 education coordinating board and with institutions of higher education.
32 The procedures shall include appropriate safeguards for consent by the
33 applicant or student before disclosure.

34 New awards shall not be granted beginning July 1, 2011, through
35 June 30, 2013.

1 NEW SECTION. **Sec. 934.** Section 933 (RCW 28B.117.040) of this act
2 expires June 30, 2013.

3 **Sec. 935.** RCW 28C.04.535 and 1995 1st sp.s. c 7 s 4 are each
4 amended to read as follows:

5 Except for the 2011-12 and 2012-13 school years, the Washington
6 award for vocational excellence shall be granted annually. The
7 workforce training and education coordinating board shall notify the
8 students receiving the award, their vocational instructors, local
9 chambers of commerce, the legislators of their respective districts,
10 and the governor, after final selections have been made. The workforce
11 training and education coordinating board, in conjunction with the
12 governor's office, shall prepare appropriate certificates to be
13 presented to the selected students. Awards shall be presented in
14 public ceremonies at times and places determined by the workforce
15 training and education coordinating board in cooperation with the
16 office of the governor.

17 **Sec. 936.** RCW 38.52.540 and 2010 1st sp.s. c 19 s 18 are each
18 amended to read as follows:

19 (1) The enhanced 911 account is created in the state treasury. All
20 receipts from the state enhanced 911 excise taxes imposed by RCW
21 82.14B.030 must be deposited into the account. Moneys in the account
22 must be used only to support the statewide coordination and management
23 of the enhanced 911 system, for the implementation of wireless enhanced
24 911 statewide, for the modernization of enhanced 911 emergency
25 communications systems statewide, and to help supplement, within
26 available funds, the operational costs of the system, including
27 adequate funding of counties to enable implementation of wireless
28 enhanced 911 service and reimbursement of radio communications service
29 companies for costs incurred in providing wireless enhanced 911 service
30 pursuant to negotiated contracts between the counties or their agents
31 and the radio communications service companies. A county must show
32 just cause, including but not limited to a true and accurate accounting
33 of the funds expended, for any inability to provide reimbursement to
34 radio communications service companies of costs incurred in providing
35 enhanced 911 service.

1 (2) Funds generated by the enhanced 911 excise tax imposed by RCW
2 82.14B.030(5) may not be distributed to any county that has not imposed
3 the maximum county enhanced 911 excise tax allowed under RCW
4 82.14B.030(1). Funds generated by the enhanced 911 excise tax imposed
5 by RCW 82.14B.030(6) may not be distributed to any county that has not
6 imposed the maximum county enhanced 911 excise tax allowed under RCW
7 82.14B.030(2).

8 (3) The state enhanced 911 coordinator, with the advice and
9 assistance of the enhanced 911 advisory committee, is authorized to
10 enter into statewide agreements to improve the efficiency of enhanced
11 911 services for all counties and shall specify by rule the additional
12 purposes for which moneys, if available, may be expended from this
13 account.

14 (4) During the 2011-2013 fiscal biennium, the legislature may
15 transfer from the enhanced 911 account to the disaster response account
16 such amounts as reflect the excess fund balance of the account.

17 **Sec. 937.** RCW 41.26.802 and 2008 c 99 s 4 are each amended to read
18 as follows:

19 ~~((By September 30, 2011, if the prior fiscal biennium's general~~
20 ~~state revenues exceed the previous fiscal biennium's revenues by more~~
21 ~~than five percent, subject to appropriation by the legislature, the~~
22 ~~state treasurer shall transfer five million dollars to the local public~~
23 ~~safety enhancement account.~~

24 ~~(+2))~~ By September 30, 2013, if the prior fiscal biennium's general
25 state revenues exceed the previous fiscal biennium's revenues by more
26 than five percent, subject to appropriation by the legislature, the
27 state treasurer shall transfer ten million dollars to the local public
28 safety enhancement account.

29 ~~((+3))~~ (2) By September 30, 2015, if the prior fiscal biennium's
30 general state revenues exceed the previous fiscal biennium's revenues
31 by more than five percent, subject to appropriation by the legislature,
32 the state treasurer shall transfer twenty million dollars to the local
33 public safety enhancement account.

34 ~~((+4))~~ (3) By September 30, 2017, and by September 30 of each
35 odd-numbered year thereafter, if the prior fiscal biennium's general
36 state revenues exceed the previous fiscal biennium's revenues by more
37 than five percent, subject to appropriation by the legislature, the

1 state treasurer shall transfer the lesser of one-third of the increase,
2 or fifty million dollars, to the local public safety enhancement
3 account.

4 **Sec. 938.** RCW 41.50.110 and 2009 c 564 s 924 are each amended to
5 read as follows:

6 (1) Except as provided by RCW 41.50.255 and subsection (6) of this
7 section, all expenses of the administration of the department, the
8 expenses of administration of the retirement systems, and the expenses
9 of the administration of the office of the state actuary created in
10 chapters 2.10, 2.12, 41.26, 41.32, 41.40, 41.34, 41.35, 41.37, 43.43,
11 and 44.44 RCW shall be paid from the department of retirement systems
12 expense fund.

13 (2) In order to reimburse the department of retirement systems
14 expense fund on an equitable basis the department shall ascertain and
15 report to each employer, as defined in RCW 41.26.030, 41.32.010,
16 41.35.010, 41.37.010, or 41.40.010, the sum necessary to defray its
17 proportional share of the entire expense of the administration of the
18 retirement system that the employer participates in during the ensuing
19 biennium or fiscal year whichever may be required. Such sum is to be
20 computed in an amount directly proportional to the estimated entire
21 expense of the administration as the ratio of monthly salaries of the
22 employer's members bears to the total salaries of all members in the
23 entire system. It shall then be the duty of all such employers to
24 include in their budgets or otherwise provide the amounts so required.

25 (3) The department shall compute and bill each employer, as defined
26 in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, at the
27 end of each month for the amount due for that month to the department
28 of retirement systems expense fund and the same shall be paid as are
29 its other obligations. Such computation as to each employer shall be
30 made on a percentage rate of salary established by the department.
31 However, the department may at its discretion establish a system of
32 billing based upon calendar year quarters in which event the said
33 billing shall be at the end of each such quarter.

34 (4) The director may adjust the expense fund contribution rate for
35 each system at any time when necessary to reflect unanticipated costs
36 or savings in administering the department.

1 (5) An employer who fails to submit timely and accurate reports to
2 the department may be assessed an additional fee related to the
3 increased costs incurred by the department in processing the deficient
4 reports. Fees paid under this subsection shall be deposited in the
5 retirement system expense fund.

6 (a) Every six months the department shall determine the amount of
7 an employer's fee by reviewing the timeliness and accuracy of the
8 reports submitted by the employer in the preceding six months. If
9 those reports were not both timely and accurate the department may
10 prospectively assess an additional fee under this subsection.

11 (b) An additional fee assessed by the department under this
12 subsection shall not exceed fifty percent of the standard fee.

13 (c) The department shall adopt rules implementing this section.

14 (6) Expenses other than those under RCW 41.34.060(3) shall be paid
15 pursuant to subsection (1) of this section.

16 (7) During the ((2007-2009 and)) 2009-2011 and 2011-2013 fiscal
17 biennia, the legislature may transfer from the department of retirement
18 systems' expense fund to the state general fund such amounts as reflect
19 the excess fund balance of the fund.

20 **Sec. 939.** RCW 41.56.028 and 2007 c 278 s 2 are each amended to
21 read as follows:

22 (1) In addition to the entities listed in RCW 41.56.020, this
23 chapter applies to the governor with respect to family child care
24 providers. Solely for the purposes of collective bargaining and as
25 expressly limited under subsections (2) and (3) of this section, the
26 governor is the public employer of family child care providers who,
27 solely for the purposes of collective bargaining, are public employees.
28 The public employer shall be represented for bargaining purposes by the
29 governor or the governor's designee appointed under chapter 41.80 RCW.

30 (2) This chapter governs the collective bargaining relationship
31 between the governor and family child care providers, except as
32 follows:

33 (a) A statewide unit of all family child care providers is the only
34 unit appropriate for purposes of collective bargaining under RCW
35 41.56.060.

36 (b) The exclusive bargaining representative of family child care
37 providers in the unit specified in (a) of this subsection shall be the

1 representative chosen in an election conducted pursuant to RCW
2 41.56.070, except that in the initial election conducted under chapter
3 54, Laws of 2006, if more than one labor organization is on the ballot
4 and none of the choices receives a majority of the votes cast, a
5 run-off election shall be held.

6 (c) Notwithstanding the definition of "collective bargaining" in
7 RCW 41.56.030(4), the scope of collective bargaining for child care
8 providers under this section shall be limited solely to: (i) Economic
9 compensation, such as manner and rate of subsidy and reimbursement,
10 including tiered reimbursements; (ii) health and welfare benefits;
11 (iii) professional development and training; (iv) labor-management
12 committees; (v) grievance procedures; and (vi) other economic matters.
13 Retirement benefits shall not be subject to collective bargaining. By
14 such obligation neither party shall be compelled to agree to a proposal
15 or be required to make a concession unless otherwise provided in this
16 chapter.

17 (d) The mediation and interest arbitration provisions of RCW
18 41.56.430 through 41.56.470 and 41.56.480 apply, except that:

19 (i) With respect to commencement of negotiations between the
20 governor and the exclusive bargaining representative of family child
21 care providers, negotiations shall be commenced initially upon
22 certification of an exclusive bargaining representative under (a) of
23 this subsection and, thereafter, by February 1st of any even-numbered
24 year; and

25 (ii) The decision of the arbitration panel is not binding on the
26 legislature and, if the legislature does not approve the request for
27 funds necessary to implement the compensation and benefit provisions of
28 the arbitrated collective bargaining agreement, is not binding on the
29 state.

30 (e) Family child care providers do not have the right to strike.

31 (3) Family child care providers who are public employees solely for
32 the purposes of collective bargaining under subsection (1) of this
33 section are not, for that reason, employees of the state for any
34 purpose. This section applies only to the governance of the collective
35 bargaining relationship between the employer and family child care
36 providers as provided in subsections (1) and (2) of this section.

37 (4) This section does not create or modify:

1 (a) The parents' or legal guardians' right to choose and terminate
2 the services of any family child care provider that provides care for
3 their child or children;

4 (b) The secretary of the department of social and health services'
5 right to adopt requirements under RCW 74.15.030, except for
6 requirements related to grievance procedures and collective
7 negotiations on personnel matters as specified in subsection (2)(c) of
8 this section;

9 (c) Chapter 26.44 RCW, RCW 43.43.832, 43.20A.205, and 74.15.130;
10 and

11 (d) The legislature's right to make programmatic modifications to
12 the delivery of state services through child care subsidy programs,
13 including standards of eligibility of parents, legal guardians, and
14 family child care providers participating in child care subsidy
15 programs, and the nature of services provided. The governor shall not
16 enter into, extend, or renew any agreement under this section that does
17 not expressly reserve the legislative rights described in this
18 subsection (4)(d).

19 (5) Upon meeting the requirements of subsection (6) of this
20 section, the governor must submit, as a part of the proposed biennial
21 or supplemental operating budget submitted to the legislature under RCW
22 43.88.030, a request for funds necessary to implement the compensation
23 and benefit provisions of a collective bargaining agreement entered
24 into under this section or for legislation necessary to implement such
25 agreement.

26 (6) Except as provided in subsection (12) of this section, a
27 request for funds necessary to implement the compensation and benefit
28 provisions of a collective bargaining agreement entered into under this
29 section shall not be submitted by the governor to the legislature
30 unless such request has been:

31 (a) Submitted to the director of financial management by October
32 1st before the legislative session at which the request is to be
33 considered, except that, for initial negotiations under this section,
34 the request must be submitted by November 15, 2006; and

35 (b) Certified by the director of financial management as being
36 feasible financially for the state or reflects the binding decision of
37 an arbitration panel reached under this section.

1 (7) The legislature must approve or reject the submission of the
2 request for funds as a whole. If the legislature rejects or fails to
3 act on the submission, any such agreement will be reopened solely for
4 the purpose of renegotiating the funds necessary to implement the
5 agreement.

6 (8) The governor shall periodically consult with the joint
7 committee on employment relations established by RCW 41.80.010
8 regarding appropriations necessary to implement the compensation and
9 benefit provisions of any collective bargaining agreement and, upon
10 completion of negotiations, advise the committee on the elements of the
11 agreement and on any legislation necessary to implement such agreement.

12 (9) After the expiration date of any collective bargaining
13 agreement entered into under this section, all of the terms and
14 conditions specified in any such agreement remain in effect until the
15 effective date of a subsequent agreement, not to exceed one year from
16 the expiration date stated in the agreement, except as provided in
17 subsection (4)(d) of this section.

18 (10) If, after the compensation and benefit provisions of an
19 agreement are approved by the legislature, a significant revenue
20 shortfall occurs resulting in reduced appropriations, as declared by
21 proclamation of the governor or by resolution of the legislature, both
22 parties shall immediately enter into collective bargaining for a
23 mutually agreed upon modification of the agreement.

24 (11) In enacting this section, the legislature intends to provide
25 state action immunity under federal and state antitrust laws for the
26 joint activities of family child care providers and their exclusive
27 bargaining representative to the extent such activities are authorized
28 by this chapter.

29 (12) For the collective bargaining agreements negotiated for the
30 2011-2013 fiscal biennium, the governor may request funds necessary to
31 implement the terms and conditions of an agreement submitted to the
32 office of financial management after October 1st if that agreement is
33 determined to be feasible financially to the state by the director of
34 financial management.

35 **Sec. 940.** RCW 41.56.029 and 2007 c 184 s 1 are each amended to
36 read as follows:

37 (1) In addition to the entities listed in RCW 41.56.020, this

1 chapter applies to the governor with respect to adult family home
2 providers. Solely for the purposes of collective bargaining and as
3 expressly limited under subsections (2) and (3) of this section, the
4 governor is the public employer of adult family home providers who,
5 solely for the purposes of collective bargaining, are public employees.
6 The public employer shall be represented for bargaining purposes by the
7 governor or the governor's designee.

8 (2) There shall be collective bargaining, as defined in RCW
9 41.56.030, between the governor and adult family home providers, except
10 as follows:

11 (a) A statewide unit of all adult family home providers is the only
12 unit appropriate for purposes of collective bargaining under RCW
13 41.56.060.

14 (b) The exclusive bargaining representative of adult family home
15 providers in the unit specified in (a) of this subsection shall be the
16 representative chosen in an election conducted pursuant to RCW
17 41.56.070.

18 Bargaining authorization cards furnished as the showing of interest
19 in support of any representation petition or motion for intervention
20 filed under this section shall be exempt from disclosure under chapter
21 42.56 RCW.

22 (c) Notwithstanding the definition of "collective bargaining" in
23 RCW 41.56.030(4), the scope of collective bargaining for adult family
24 home providers under this section shall be limited solely to: (i)
25 Economic compensation, such as manner and rate of subsidy and
26 reimbursement, including tiered reimbursements; (ii) health and welfare
27 benefits; (iii) professional development and training; (iv) labor-
28 management committees; (v) grievance procedures; and (vi) other
29 economic matters. Retirement benefits shall not be subject to
30 collective bargaining. By such obligation neither party shall be
31 compelled to agree to a proposal or be required to make a concession
32 unless otherwise provided in this chapter.

33 (d) In addition to the entities listed in the mediation and
34 interest arbitration provisions of RCW 41.56.430 through 41.56.470 and
35 41.56.480, the provisions apply to the governor or the governor's
36 designee and the exclusive bargaining representative of adult family
37 home providers, except that:

1 (i) In addition to the factors to be taken into consideration by an
2 interest arbitration panel under RCW 41.56.465, the panel shall
3 consider the financial ability of the state to pay for the compensation
4 and benefit provisions of a collective bargaining agreement.

5 (ii) The decision of the arbitration panel is not binding on the
6 legislature and, if the legislature does not approve the request for
7 funds necessary to implement the compensation and benefit provisions of
8 the arbitrated collective bargaining agreement, the decision is not
9 binding on the state.

10 (e) Adult family home providers do not have the right to strike.

11 (3) Adult family home providers who are public employees solely for
12 the purposes of collective bargaining under subsection (1) of this
13 section are not, for that reason, employees of the state for any other
14 purpose. This section applies only to the governance of the collective
15 bargaining relationship between the employer and adult family home
16 providers as provided in subsections (1) and (2) of this section.

17 (4) This section does not create or modify:

18 (a) The department's authority to establish a plan of care for each
19 consumer or its core responsibility to manage long-term care services
20 under chapter 70.128 RCW, including determination of the level of care
21 that each consumer is eligible to receive. However, at the request of
22 the exclusive bargaining representative, the governor or the governor's
23 designee appointed under chapter 41.80 RCW shall engage in collective
24 bargaining, as defined in RCW 41.56.030(4), with the exclusive
25 bargaining representative over how the department's core responsibility
26 affects hours of work for adult family home providers. This subsection
27 shall not be interpreted to require collective bargaining over an
28 individual consumer's plan of care;

29 (b) The department's obligation to comply with the federal medicaid
30 statute and regulations and the terms of any community-based waiver
31 granted by the federal department of health and human services and to
32 ensure federal financial participation in the provision of the
33 services;

34 (c) The legislature's right to make programmatic modifications to
35 the delivery of state services under chapter 70.128 RCW, including
36 standards of eligibility of consumers and adult family home providers
37 participating in the programs under chapter 70.128 RCW, and the nature

1 of services provided. The governor shall not enter into, extend, or
2 renew any agreement under this chapter that does not expressly reserve
3 the legislative rights described in this subsection (4)(c);

4 (d) The residents', parents', or legal guardians' right to choose
5 and terminate the services of any licensed adult family home provider;
6 and

7 (e) RCW 43.43.832, 43.20A.205, or 74.15.130.

8 (5) Upon meeting the requirements of subsection (6) of this
9 section, the governor must submit, as a part of the proposed biennial
10 or supplemental operating budget submitted to the legislature under RCW
11 43.88.030, a request for funds necessary to implement the compensation
12 and benefit provisions of a collective bargaining agreement entered
13 into under this section or for legislation necessary to implement the
14 agreement.

15 (6) Except as provided in subsection (11) of this section, a
16 request for funds necessary to implement the compensation and benefit
17 provisions of a collective bargaining agreement entered into under this
18 section shall not be submitted by the governor to the legislature
19 unless the request has been:

20 (a) Submitted to the director of financial management by October
21 1st prior to the legislative session at which the requests are to be
22 considered; and

23 (b) Certified by the director of financial management as
24 financially feasible for the state or reflective of a binding decision
25 of an arbitration panel reached under subsection (2)(d) of this
26 section.

27 (7) The legislature must approve or reject the submission of the
28 request for funds as a whole. If the legislature rejects or fails to
29 act on the submission, any collective bargaining agreement must be
30 reopened for the sole purpose of renegotiating the funds necessary to
31 implement the agreement.

32 (8) If, after the compensation and benefit provisions of an
33 agreement are approved by the legislature, a significant revenue
34 shortfall occurs resulting in reduced appropriations, as declared by
35 proclamation of the governor or by resolution of the legislature, both
36 parties shall immediately enter into collective bargaining for a
37 mutually agreed upon modification of the agreement.

1 (9) After the expiration date of any collective bargaining
2 agreement entered into under this section, all of the terms and
3 conditions specified in the agreement remain in effect until the
4 effective date of a subsequent agreement, not to exceed one year from
5 the expiration date stated in the agreement.

6 (10) In enacting this section, the legislature intends to provide
7 state action immunity under federal and state antitrust laws for the
8 joint activities of adult family home providers and their exclusive
9 bargaining representative to the extent the activities are authorized
10 by this chapter.

11 (11) For the collective bargaining agreements negotiated for the
12 2011-2013 fiscal biennium, the governor may request funds necessary to
13 implement the terms and conditions of an agreement submitted to the
14 office of financial management after October 1st if that agreement is
15 determined to be feasible financially to the state by the director of
16 financial management.

17 **Sec. 941.** RCW 41.80.010 and 2010 c 104 s 1 are each amended to
18 read as follows:

19 (1) For the purpose of negotiating collective bargaining agreements
20 under this chapter, the employer shall be represented by the governor
21 or governor's designee, except as provided for institutions of higher
22 education in subsection (4) of this section.

23 (2)(a) If an exclusive bargaining representative represents more
24 than one bargaining unit, the exclusive bargaining representative shall
25 negotiate with each employer representative as designated in subsection
26 (1) of this section one master collective bargaining agreement on
27 behalf of all the employees in bargaining units that the exclusive
28 bargaining representative represents. For those exclusive bargaining
29 representatives who represent fewer than a total of five hundred
30 employees each, negotiation shall be by a coalition of all those
31 exclusive bargaining representatives. The coalition shall bargain for
32 a master collective bargaining agreement covering all of the employees
33 represented by the coalition. The governor's designee and the
34 exclusive bargaining representative or representatives are authorized
35 to enter into supplemental bargaining of agency-specific issues for
36 inclusion in or as an addendum to the master collective bargaining
37 agreement, subject to the parties' agreement regarding the issues and

1 procedures for supplemental bargaining. This section does not prohibit
2 cooperation and coordination of bargaining between two or more
3 exclusive bargaining representatives.

4 (b) This subsection (2) does not apply to exclusive bargaining
5 representatives who represent employees of institutions of higher
6 education, except when the institution of higher education has elected
7 to exercise its option under subsection (4) of this section to have its
8 negotiations conducted by the governor or governor's designee under the
9 procedures provided for general government agencies in subsections (1)
10 through (3) of this section.

11 (c) If five hundred or more employees of an independent state
12 elected official listed in RCW 43.01.010 are organized in a bargaining
13 unit or bargaining units under RCW 41.80.070, the official shall be
14 consulted by the governor or the governor's designee before any
15 agreement is reached under (a) of this subsection concerning
16 supplemental bargaining of agency specific issues affecting the
17 employees in such bargaining unit.

18 (3) Except as provided in subsection (8) of this section, the
19 governor shall submit a request for funds necessary to implement the
20 compensation and fringe benefit provisions in the master collective
21 bargaining agreement or for legislation necessary to implement the
22 agreement. Requests for funds necessary to implement the provisions of
23 bargaining agreements shall not be submitted to the legislature by the
24 governor unless such requests:

25 (a) Have been submitted to the director of the office of financial
26 management by October 1 prior to the legislative session at which the
27 requests are to be considered; and

28 (b) Have been certified by the director of the office of financial
29 management as being feasible financially for the state.

30 The legislature shall approve or reject the submission of the
31 request for funds as a whole. The legislature shall not consider a
32 request for funds to implement a collective bargaining agreement unless
33 the request is transmitted to the legislature as part of the governor's
34 budget document submitted under RCW 43.88.030 and 43.88.060. If the
35 legislature rejects or fails to act on the submission, either party may
36 reopen all or part of the agreement or the exclusive bargaining
37 representative may seek to implement the procedures provided for in RCW
38 41.80.090.

1 (4)(a)(i) For the purpose of negotiating agreements for
2 institutions of higher education, the employer shall be the respective
3 governing board of each of the universities, colleges, or community
4 colleges or a designee chosen by the board to negotiate on its behalf.

5 (ii) A governing board of a university or college may elect to have
6 its negotiations conducted by the governor or governor's designee under
7 the procedures provided for general government agencies in subsections
8 (1) through (3) of this section, except that:

9 (A) The governor or the governor's designee and an exclusive
10 bargaining representative shall negotiate one master collective
11 bargaining agreement for all of the bargaining units of employees of a
12 university or college that the representative represents; or

13 (B) If the parties mutually agree, the governor or the governor's
14 designee and an exclusive bargaining representative shall negotiate one
15 master collective bargaining agreement for all of the bargaining units
16 of employees of more than one university or college that the
17 representative represents.

18 (iii) A governing board of a community college may elect to have
19 its negotiations conducted by the governor or governor's designee under
20 the procedures provided for general government agencies in subsections
21 (1) through (3) of this section.

22 (b) Prior to entering into negotiations under this chapter, the
23 institutions of higher education or their designees shall consult with
24 the director of the office of financial management regarding financial
25 and budgetary issues that are likely to arise in the impending
26 negotiations.

27 (c)(i) If appropriations are necessary to implement the
28 compensation and fringe benefit provisions of the bargaining agreements
29 reached between institutions of higher education and exclusive
30 bargaining representatives agreed to under the provisions of this
31 chapter, the governor shall submit a request for such funds to the
32 legislature according to the provisions of subsection (3) of this
33 section, except as provided in (c)(ii) of this subsection.

34 (ii) In the case of a bargaining unit of employees of institutions
35 of higher education in which the exclusive bargaining representative is
36 certified during or after the conclusion of a legislative session, the
37 legislature may act upon the compensation and fringe benefit provisions
38 of the unit's initial collective bargaining agreement if those

1 provisions are agreed upon and submitted to the office of financial
2 management and legislative budget committees before final legislative
3 action on the biennial or supplemental operating budget by the sitting
4 legislature.

5 (5) There is hereby created a joint committee on employment
6 relations, which consists of two members with leadership positions in
7 the house of representatives, representing each of the two largest
8 caucuses; the chair and ranking minority member of the house
9 appropriations committee, or its successor, representing each of the
10 two largest caucuses; two members with leadership positions in the
11 senate, representing each of the two largest caucuses; and the chair
12 and ranking minority member of the senate ways and means committee, or
13 its successor, representing each of the two largest caucuses. The
14 governor shall periodically consult with the committee regarding
15 appropriations necessary to implement the compensation and fringe
16 benefit provisions in the master collective bargaining agreements, and
17 upon completion of negotiations, advise the committee on the elements
18 of the agreements and on any legislation necessary to implement the
19 agreements.

20 (6) If, after the compensation and fringe benefit provisions of an
21 agreement are approved by the legislature, a significant revenue
22 shortfall occurs resulting in reduced appropriations, as declared by
23 proclamation of the governor or by resolution of the legislature, both
24 parties shall immediately enter into collective bargaining for a
25 mutually agreed upon modification of the agreement.

26 (7) After the expiration date of a collective bargaining agreement
27 negotiated under this chapter, all of the terms and conditions
28 specified in the collective bargaining agreement remain in effect until
29 the effective date of a subsequently negotiated agreement, not to
30 exceed one year from the expiration date stated in the agreement.
31 Thereafter, the employer may unilaterally implement according to law.

32 (8) For the collective bargaining agreements negotiated for the
33 2011-2013 fiscal biennium, the governor may request funds necessary to
34 implement the terms and conditions of an agreement submitted to the
35 office of financial management after October 1st if that agreement is
36 determined to be feasible financially to the state by the director of
37 financial management. For the 2011-2013 fiscal biennium, a collective
38 bargaining agreement related to employee health care benefits

1 negotiated between the employer and coalition pursuant to RCW
2 41.80.020(3) regarding the dollar amount expended on behalf of each
3 employee shall be a separate agreement for which the governor may
4 request funds necessary to implement the agreement. If such an
5 agreement is negotiated and funded by the legislature, this agreement
6 will supersede any terms and conditions of an expired 2009-2011
7 biennial master collective bargaining agreement under this chapter
8 regarding health care benefits.

9 **Sec. 942.** RCW 41.80.020 and 2010 c 283 s 16 are each amended to
10 read as follows:

11 (1) Except as otherwise provided in this chapter, the matters
12 subject to bargaining include wages, hours, and other terms and
13 conditions of employment, and the negotiation of any question arising
14 under a collective bargaining agreement.

15 (2) The employer is not required to bargain over matters pertaining
16 to:

17 (a) Health care benefits or other employee insurance benefits,
18 except as required in subsection (3) of this section;

19 (b) Any retirement system or retirement benefit; or

20 (c) Rules of the director of personnel or the Washington personnel
21 resources board adopted under section 203, chapter 354, Laws of 2002.

22 (3) Matters subject to bargaining include the number of names to be
23 certified for vacancies, promotional preferences, and the dollar amount
24 expended on behalf of each employee for health care benefits. However,
25 except as provided otherwise in this subsection for institutions of
26 higher education, negotiations regarding the number of names to be
27 certified for vacancies, promotional preferences, and the dollar amount
28 expended on behalf of each employee for health care benefits shall be
29 conducted between the employer and one coalition of all the exclusive
30 bargaining representatives subject to this chapter. The exclusive
31 bargaining representatives for employees that are subject to chapter
32 47.64 RCW shall bargain the dollar amount expended on behalf of each
33 employee for health care benefits with the employer as part of the
34 coalition under this subsection. Any such provision agreed to by the
35 employer and the coalition shall be included in all master collective
36 bargaining agreements negotiated by the parties. For institutions of
37 higher education, promotional preferences and the number of names to be

1 certified for vacancies shall be bargained under the provisions of RCW
2 41.80.010(4). For agreements covering the 2011-2013 fiscal biennium,
3 any agreement between the employer and the coalition regarding the
4 dollar amount expended on behalf of each employee for health care
5 benefits is a separate agreement and shall not be included in the
6 master collective bargaining agreements negotiated by the parties.

7 (4) The employer and the exclusive bargaining representative shall
8 not agree to any proposal that would prevent the implementation of
9 approved affirmative action plans or that would be inconsistent with
10 the comparable worth agreement that provided the basis for the salary
11 changes implemented beginning with the 1983-1985 biennium to achieve
12 comparable worth.

13 (5) The employer and the exclusive bargaining representative shall
14 not bargain over matters pertaining to management rights established in
15 RCW 41.80.040.

16 (6) Except as otherwise provided in this chapter, if a conflict
17 exists between an executive order, administrative rule, or agency
18 policy relating to wages, hours, and terms and conditions of employment
19 and a collective bargaining agreement negotiated under this chapter,
20 the collective bargaining agreement shall prevail. A provision of a
21 collective bargaining agreement that conflicts with the terms of a
22 statute is invalid and unenforceable.

23 (7) This section does not prohibit bargaining that affects
24 contracts authorized by RCW 41.06.142.

25 **Sec. 943.** RCW 43.08.190 and 2010 c 222 s 3 are each amended to
26 read as follows:

27 There is hereby created a fund within the state treasury to be
28 known as the "state treasurer's service fund." Such fund shall be used
29 solely for the payment of costs and expenses incurred in the operation
30 and administration of the state treasurer's office.

31 Moneys shall be allocated monthly and placed in the state
32 treasurer's service fund equivalent to a maximum of one percent of the
33 trust and treasury average daily cash balances from the earnings
34 generated under the authority of RCW 43.79A.040 and 43.84.080 other
35 than earnings generated from investment of balances in funds and
36 accounts specified in RCW 43.79A.040(4)(c). The allocation shall
37 precede the distribution of the remaining earnings as prescribed under

1 RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a
2 uniform allocation rate for all funds and accounts; except that the
3 state treasurer may negotiate a different allocation rate with any
4 state agency that has independent authority over funds not statutorily
5 required to be held in the state treasury or in the custody of the
6 state treasurer. In no event shall the rate be less than the actual
7 costs incurred by the state treasurer's office. If no rate is
8 separately negotiated, the default rate for any funds held shall be the
9 rate set for funds held pursuant to statute.

10 During the 2009-2011 fiscal biennium and the 2011-2013 fiscal
11 biennium, the legislature may transfer from the state treasurer's
12 service fund to the state general fund such amounts as reflect the
13 excess fund balance of the fund.

14 **Sec. 944.** RCW 43.09.412 and 1995 c 301 s 26 are each amended to
15 read as follows:

16 The amounts to be disbursed from the auditing services revolving
17 account shall be paid from funds appropriated to any and all state
18 agencies for auditing services or administrative expenses. State
19 agencies operating in whole or in part from nonappropriated funds shall
20 pay into the auditing services revolving account such funds as will
21 fully reimburse funds appropriated to the state auditor for auditing
22 services provided. During the 2011-2013 fiscal biennium, funds shall
23 not be appropriated into the auditing services revolving account and
24 state agencies operating in whole or in part from nonappropriated funds
25 shall not pay into the auditing services revolving account. During the
26 2011-2013 fiscal biennium, the performance audit of state government
27 account is the sole source of funding for auditing services provided to
28 state agencies by the state auditor.

29 The director of financial management shall allot all such funds to
30 the state auditor for the operation of his or her office, pursuant to
31 appropriation, in the same manner as appropriated funds are allocated
32 to other state agencies headed by elected officers under chapter 43.88
33 RCW.

34 **Sec. 945.** RCW 43.09.475 and 2009 c 564 s 929 are each amended to
35 read as follows:

36 The performance audits of government account is hereby created in

1 the custody of the state treasurer. Revenue identified in RCW
2 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money
3 in the account shall be used to fund the performance audits and follow-
4 up performance audits under RCW 43.09.470 and shall be expended by the
5 state auditor in accordance with chapter 1, Laws of 2006. Only the
6 state auditor or the state auditor's designee may authorize
7 expenditures from the account. The account is subject to allotment
8 procedures under chapter 43.88 RCW, but an appropriation is not
9 required for expenditures. During the 2009-2011 fiscal biennium, the
10 legislature may transfer from the performance audits of government
11 account to the state general fund such amounts as deemed to be
12 appropriate or necessary. During 2011-2013 fiscal biennium, the
13 performance audit of state government account shall be the sole source
14 of funding for auditing services provided to state agencies by the
15 state auditor. Required auditing services for state agencies to be
16 performed in the 2011-2013 fiscal biennium includes work to complete
17 the annual audit of the state's comprehensive annual financial report
18 and the annual federal single audit consistent with the auditing
19 standards generally accepted in the United States and the standards
20 applicable to financial audits contained in government auditing
21 standards, issued by the comptroller general of the United States, and
22 audits of state agencies, audits of nonprofit organizations that
23 receive funds or contract with state agencies in accordance with OMB
24 circular A-133, audits of school programs, and audits under the
25 whistleblower act, chapter 42.40 RCW, for state agencies. In addition,
26 during the 2011-2013 fiscal biennium the account may be used to fund
27 the office of financial management's contract for the compliance audit
28 of the state auditor.

29 **Sec. 946.** RCW 43.19.501 and 2009 c 564 s 932 are each amended to
30 read as follows:

31 The Thurston county capital facilities account is created in the
32 state treasury. The account is subject to the appropriation and
33 allotment procedures under chapter 43.88 RCW. Moneys in the account
34 may be expended for capital projects in facilities owned and managed by
35 the department of general administration in Thurston county. For the
36 2007-2009 biennium, moneys in the account may be used for predesign
37 identified in section 1037, chapter 328, Laws of 2008.

1 During the 2009-2011 and 2011-2013 fiscal (~~(biennium)~~) biennia, the
2 legislature may transfer from the Thurston county capital facilities
3 account to the state general fund such amounts as reflect the excess
4 fund balance of the account.

5 **Sec. 947.** RCW 43.79.201 and 2009 c 564 s 935 are each amended to
6 read as follows:

7 (1) The charitable, educational, penal and reformatory institutions
8 account is hereby created, in the state treasury, into which account
9 there shall be deposited all moneys arising from the sale, lease or
10 transfer of the land granted by the United States government to the
11 state for charitable, educational, penal and reformatory institutions
12 by section 17 of the enabling act, or otherwise set apart for such
13 institutions, except all moneys arising from the sale, lease, or
14 transfer of that certain one hundred thousand acres of such land
15 assigned for the support of the University of Washington by chapter 91,
16 Laws of 1903 and section 9, chapter 122, Laws of 1893.

17 (2) If feasible, not less than one-half of all income to the
18 charitable, educational, penal, and reformatory institutions account
19 shall be appropriated for the purpose of providing housing, including
20 repair and renovation of state institutions, for persons with mental
21 illness or developmental disabilities, or youth who are blind, deaf, or
22 otherwise disabled. If moneys are appropriated for community-based
23 housing, the moneys shall be appropriated to the department of
24 (~~(community, trade, and economic development)~~) commerce for the housing
25 assistance program under chapter 43.185 RCW. During the 2009-2011 and
26 2011-2013 fiscal (~~(biennium)~~) biennia, the legislature may transfer
27 from the charitable, educational, penal and reformatory institutions
28 account to the state general fund such amounts as reflect excess fund
29 balance of the (~~(fund [account])~~) account.

30 **Sec. 948.** RCW 43.79.465 and 2010 1st sp.s. c 37 s 929 are each
31 amended to read as follows:

32 The education savings account is created in the state treasury.
33 The account shall consist of all moneys appropriated to the account by
34 the legislature.

35 (1) Ten percent of legislative appropriations to the education
36 savings account shall be distributed as follows: (a) Fifty percent to

1 the distinguished professorship trust fund under RCW 28B.76.565; (b)
2 seventeen percent to the graduate fellowship trust fund under RCW
3 28B.76.610; and (c) thirty-three percent to the college faculty awards
4 trust fund under RCW 28B.50.837.

5 (2) The remaining moneys in the education savings account may be
6 appropriated solely for (a) common school construction projects that
7 are eligible for funding from the common school construction account,
8 (b) technology improvements in the common schools, (c) during the 2001-
9 03 fiscal biennium, technology improvements in public higher education
10 institutions, (d) during the 2007-2009 fiscal biennium, the legislature
11 may transfer from the education savings account to the state general
12 fund such amounts as reflect the excess fund balance of the account
13 attributable to unspent state general fund appropriations for fiscal
14 year 2008, ~~((and))~~ (e) for fiscal year 2010, the legislature may
15 transfer from the education savings account to the state general fund
16 such amounts as reflect the fund balance of the account attributable to
17 unspent general fund appropriations for fiscal year 2009; and (f) for
18 fiscal years 2012 and 2013, the legislature may transfer from the
19 education savings account to the state general fund such amounts as
20 reflect the fund balance of the account attributable to unspent general
21 fund appropriations for fiscal years 2011 and 2012.

22 **Sec. 949.** RCW 43.105.052 and 2010 1st sp.s. c 7 s 16 are each
23 amended to read as follows:

24 The department shall:

25 (1) Perform all duties and responsibilities the board delegates to
26 the department, including but not limited to:

27 (a) The review of agency information technology portfolios and
28 related requests; and

29 (b) Implementation of statewide and interagency policies,
30 standards, and guidelines;

31 (2) Make available information services to state agencies and local
32 governments and public benefit nonprofit corporations on a full cost-
33 recovery basis. For the purposes of this section "public benefit
34 nonprofit corporation" means a public benefit nonprofit corporation as
35 defined in RCW 24.03.005 that is receiving local, state, or federal
36 funds either directly or through a public agency other than an Indian

1 tribe or political subdivision of another state. These services may
2 include, but are not limited to:

3 (a) Telecommunications services for voice, data, and video;

4 (b) Mainframe computing services;

5 (c) Support for departmental and microcomputer evaluation,
6 installation, and use;

7 (d) Equipment acquisition assistance, including leasing, brokering,
8 and establishing master contracts;

9 (e) Facilities management services for information technology
10 equipment, equipment repair, and maintenance service;

11 (f) Negotiation with local cable companies and local governments to
12 provide for connection to local cable services to allow for access to
13 these public and educational channels in the state;

14 (g) Office automation services;

15 (h) System development services; and

16 (i) Training.

17 These services are for discretionary use by customers and customers
18 may elect other alternatives for service if those alternatives are more
19 cost-effective or provide better service. Agencies may be required to
20 use the backbone network portions of the telecommunications services
21 during an initial start-up period not to exceed three years;

22 (3) Establish rates and fees for services provided by the
23 department to assure that the services component of the department is
24 self-supporting. A billing rate plan shall be developed for a two-year
25 period to coincide with the budgeting process. The rate plan shall be
26 subject to review at least annually by the office of financial
27 management. The rate plan shall show the proposed rates by each cost
28 center and will show the components of the rate structure as mutually
29 determined by the department and the office of financial management.
30 The same rate structure will apply to all user agencies of each cost
31 center. The rate plan and any adjustments to rates shall be approved
32 by the office of financial management. Except in the 2011-2013 fiscal
33 biennium, the services component shall not subsidize the operations of
34 the strategic planning and policy component;

35 (4) With the advice of the information services board and agencies,
36 develop a state strategic information technology plan and performance
37 reports as required under RCW 43.105.160;

1 (5) Develop plans for the department's achievement of statewide
2 goals and objectives set forth in the state strategic information
3 technology plan required under RCW 43.105.160. These plans shall
4 address such services as telecommunications, central and distributed
5 computing, local area networks, office automation, and end user
6 computing. The department shall seek the advice of the board in the
7 development of these plans;

8 (6) Under direction of the information services board and in
9 collaboration with the department of personnel, and other agencies as
10 may be appropriate, develop training plans and coordinate training
11 programs that are responsive to the needs of agencies;

12 (7) Identify opportunities for the effective use of information
13 services and coordinate appropriate responses to those opportunities;

14 (8) Assess agencies' projects, acquisitions, plans, information
15 technology portfolios, or overall information processing performance as
16 requested by the board, agencies, the director of financial management,
17 or the legislature. Agencies may be required to reimburse the
18 department for agency-requested reviews;

19 (9) Develop planning, budgeting, and expenditure reporting
20 requirements, in conjunction with the office of financial management,
21 for agencies to follow;

22 (10) Assist the office of financial management with budgetary and
23 policy review of agency plans for information services;

24 (11) Provide staff support from the strategic planning and policy
25 component to the board for:

26 (a) Meeting preparation, notices, and minutes;

27 (b) Promulgation of policies, standards, and guidelines adopted by
28 the board;

29 (c) Supervision of studies and reports requested by the board;

30 (d) Conducting reviews and assessments as directed by the board;

31 (12) Be the lead agency in coordinating video telecommunications
32 services for all state agencies and develop, pursuant to board
33 policies, standards and common specifications for leased and purchased
34 telecommunications equipment. The department shall not evaluate the
35 merits of school curriculum, higher education course offerings, or
36 other education and training programs proposed for transmission and/or
37 reception using video telecommunications resources. Nothing in this

1 section shall abrogate or abridge the legal responsibilities of
2 licensees of telecommunications facilities as licensed by the federal
3 communication commission on March 27, 1990; and

4 (13) Perform all other matters and things necessary to carry out
5 the purposes and provisions of this chapter.

6 **Sec. 950.** RCW 43.135.045 and 2010 1st sp.s. c 27 s 5 are each
7 amended to read as follows:

8 The education construction fund is hereby created in the state
9 treasury.

10 (1) Funds may be appropriated from the education construction fund
11 exclusively for common school construction or higher education
12 construction. During the 2007-2009 fiscal biennium, funds may also be
13 used for higher education facilities preservation and maintenance.
14 During the 2009-2011 (~~fiscal biennium~~) and 2011-2013 fiscal biennia,
15 the legislature may transfer from the education construction fund to
16 the state general fund such amounts as reflect the excess fund balance
17 of the fund.

18 (2) Funds may be appropriated for any other purpose only if
19 approved by a two-thirds vote of each house of the legislature and if
20 approved by a vote of the people at the next general election. An
21 appropriation approved by the people under this subsection shall result
22 in an adjustment to the state expenditure limit only for the fiscal
23 period for which the appropriation is made and shall not affect any
24 subsequent fiscal period.

25 (3) Funds for the student achievement program in RCW 28A.505.210
26 and 28A.505.220 shall be appropriated to the superintendent of public
27 instruction strictly for distribution to school districts to meet the
28 provisions set out in the student achievement act. Allocations shall
29 be made on an equal per full-time equivalent student basis to each
30 school district.

31 (4) After July 1, 2010, the state treasurer shall transfer one
32 hundred two million dollars from the general fund to the education
33 construction fund by June 30th of each year.

34 **Sec. 951.** RCW 43.155.050 and 2010 1st sp.s. c 37 s 932 and 2010
35 1st sp.s. c 3 s 6007 are each reenacted and amended to read as follows:

36 The public works assistance account is hereby established in the

1 state treasury. Money may be placed in the public works assistance
2 account from the proceeds of bonds when authorized by the legislature
3 or from any other lawful source. Money in the public works assistance
4 account shall be used to make loans and to give financial guarantees to
5 local governments for public works projects. Moneys in the account may
6 also be appropriated to provide for state match requirements under
7 federal law for projects and activities conducted and financed by the
8 board under the drinking water assistance account. Not more than
9 fifteen percent of the biennial capital budget appropriation to the
10 public works board from this account may be expended or obligated for
11 preconstruction loans, emergency loans, or loans for capital facility
12 planning under this chapter; of this amount, not more than ten percent
13 of the biennial capital budget appropriation may be expended for
14 emergency loans and not more than one percent of the biennial capital
15 budget appropriation may be expended for capital facility planning
16 loans. For the 2007-2009 biennium, moneys in the account may be used
17 for grants for projects identified in section 138, chapter 488, Laws of
18 2005 and section 1033, chapter 520, Laws of 2007. During the 2009-2011
19 fiscal biennium, sums in the public works assistance account may be
20 used for the water pollution control revolving fund program match in
21 section 3013, chapter 36, Laws of 2010 1st sp. sess. During the 2009-
22 2011 fiscal biennium, the legislature may transfer from the job
23 development fund to the general fund such amounts as reflect the excess
24 fund balance of the fund. During the 2011-2013 fiscal biennium, the
25 legislature may transfer from the public works assistance account to
26 the water pollution control revolving account and the drinking water
27 assistance account such amounts as reflect the excess fund balance of
28 the account.

29 NEW SECTION. **Sec. 952.** Section 951 (RCW 43.155.050) of this act
30 takes effect June 30, 2011.

31 **Sec. 953.** RCW 43.185C.060 and 2007 c 427 s 6 are each amended to
32 read as follows:

33 The home security fund account is created in the state treasury,
34 subject to appropriation. The state's portion of the surcharge
35 established in RCW 36.22.179 and 36.22.1791 must be deposited in the
36 account. Expenditures from the account may be used only for homeless

1 housing programs as described in this chapter. During the 2011-2013
2 fiscal biennium, the legislature may transfer from the home security
3 fund account to the transitional housing operating and rent account
4 such amounts as reflect the excess fund balance of the account.

5 **Sec. 954.** RCW 43.330.250 and 2009 c 565 s 13 and 2009 c 564 s 943
6 are each reenacted and amended to read as follows:

7 (1) The economic development strategic reserve account is created
8 in the state treasury to be used only for the purposes of this section.

9 (2) Only the governor, with the recommendation of the director of
10 the department of commerce and the economic development commission, may
11 authorize expenditures from the account.

12 (3) Expenditures from the account shall be made in an amount
13 sufficient to fund a minimum of one staff position for the economic
14 development commission and to cover any other operational costs of the
15 commission.

16 (4) During the 2009-2011 (~~fiscal biennium~~) and 2011-2013 fiscal
17 biennia, moneys in the account may also be transferred into the state
18 general fund.

19 (5) Expenditures from the account may be made to prevent closure of
20 a business or facility, to prevent relocation of a business or facility
21 in the state to a location outside the state, or to recruit a business
22 or facility to the state. Expenditures may be authorized for:

23 (a) Workforce development;

24 (b) Public infrastructure needed to support or sustain the
25 operations of the business or facility; and

26 (c) Other lawfully provided assistance, including, but not limited
27 to, technical assistance, environmental analysis, relocation
28 assistance, and planning assistance. Funding may be provided for such
29 assistance only when it is in the public interest and may only be
30 provided under a contractual arrangement ensuring that the state will
31 receive appropriate consideration, such as an assurance of job creation
32 or retention.

33 (6) The funds shall not be expended from the account unless:

34 (a) The circumstances are such that time does not permit the
35 director of the department of commerce or the business or facility to
36 secure funding from other state sources;

1 (b) The business or facility produces or will produce significant
2 long-term economic benefits to the state, a region of the state, or a
3 particular community in the state;

4 (c) The business or facility does not require continuing state
5 support;

6 (d) The expenditure will result in new jobs, job retention, or
7 higher incomes for citizens of the state;

8 (e) The expenditure will not supplant private investment; and

9 (f) The expenditure is accompanied by private investment.

10 (7) No more than three million dollars per year may be expended
11 from the account for the purpose of assisting an individual business or
12 facility pursuant to the authority specified in this section.

13 (8) If the account balance in the strategic reserve account exceeds
14 fifteen million dollars at any time, the amount in excess of fifteen
15 million dollars shall be transferred to the education construction
16 account.

17 **Sec. 955.** RCW 66.08.170 and 2009 c 564 s 947 are each amended to
18 read as follows:

19 There shall be a fund, known as the "liquor revolving fund", which
20 shall consist of all license fees, permit fees, penalties, forfeitures,
21 and all other moneys, income, or revenue received by the board. The
22 state treasurer shall be custodian of the fund. All moneys received by
23 the board or any employee thereof, except for change funds and an
24 amount of petty cash as fixed by the board within the authority of law
25 shall be deposited each day in a depository approved by the state
26 treasurer and transferred to the state treasurer to be credited to the
27 liquor revolving fund. During the 2009-2011 fiscal biennium, the
28 legislature may transfer funds from the liquor revolving account [fund]
29 to the state general fund and may direct an additional amount of liquor
30 profits to be distributed to local governments. Neither the transfer
31 of funds nor the additional distribution of liquor profits to local
32 governments during the 2009-2011 fiscal biennium may reduce the excess
33 fund distributions that otherwise would occur under RCW 66.08.190.
34 During the 2011-2013 fiscal biennium, the legislature may transfer
35 funds from the liquor revolving fund to the state general fund. The
36 transfer during the 2011-2013 fiscal biennium may not reduce the excess
37 fund distributions that otherwise would occur under RCW 66.08.190.

1 Disbursements from the revolving fund shall be on authorization of the
2 board or a duly authorized representative thereof. In order to
3 maintain an effective expenditure and revenue control the liquor
4 revolving fund shall be subject in all respects to chapter 43.88 RCW
5 but no appropriation shall be required to permit expenditures and
6 payment of obligations from such fund.

7 **Sec. 956.** RCW 66.08.235 and 2005 c 151 s 4 are each amended to
8 read as follows:

9 The liquor control board construction and maintenance account is
10 created within the state treasury. The liquor control board shall
11 deposit into this account a portion of the board's markup, as
12 authorized by chapter 66.16 RCW, placed upon liquor as determined by
13 the board. Moneys in the account may be spent only after
14 appropriation. The liquor control board shall use deposits to this
15 account to fund construction and maintenance of a centralized
16 distribution center for liquor products intended for sale through the
17 board's liquor store and contract liquor store system. During the
18 ~~((2001-2003))~~ 2011-2013 fiscal biennium, this account may be used to
19 fund maintenance, electrical, and engineering work performed on the
20 liquor board's distribution center building and equipment. In
21 addition, during the 2011-2013 fiscal biennium, the legislature may
22 transfer from the liquor control board construction and maintenance
23 account to the state general fund such amounts as reflect the
24 ~~((appropriations reductions made by the 2002 supplemental~~
25 ~~appropriations act for administrative efficiencies and savings))~~ excess
26 fund balance of the account.

27 **Sec. 957.** RCW 67.70.260 and 2002 c 371 s 919 are each amended to
28 read as follows:

29 There is hereby created the lottery administrative account in the
30 state treasury. The account shall be managed, controlled, and
31 maintained by the director. The legislature may appropriate from the
32 account for the payment of costs incurred in the operation and
33 administration of the lottery. During the 2001-2003 fiscal biennium,
34 the legislature may transfer from the lottery administrative account to
35 the state general fund such amounts as reflect the appropriations
36 reductions made by the 2002 supplemental appropriations act for

1 administrative efficiencies and savings. During the 2011-2013 fiscal
2 biennium, the lottery administrative account may also be used to fund
3 an independent forecast of the lottery revenues conducted by the
4 economic and revenue forecast council.

5 **Sec. 958.** RCW 70.93.180 and 2010 1st sp.s. c 37 s 945 are each
6 amended to read as follows:

7 (1) There is hereby created an account within the state treasury to
8 be known as the "waste reduction, recycling, and litter control
9 account". Moneys in the account may be spent only after appropriation.
10 Expenditures from the waste reduction, recycling, and litter control
11 account shall be used as follows:

12 (a) Fifty percent to the department of ecology, for use by the
13 departments of ecology, natural resources, revenue, transportation, and
14 corrections, and the parks and recreation commission, for use in litter
15 collection programs, to be distributed under RCW 70.93.220. The amount
16 to the department of ecology shall also be used for a central
17 coordination function for litter control efforts statewide, for the
18 biennial litter survey under RCW 70.93.200(8), and for statewide public
19 awareness programs under RCW 70.93.200(7). The amount to the
20 department shall also be used to defray the costs of administering the
21 funding, coordination, and oversight of local government programs for
22 waste reduction, litter control, and recycling, so that local
23 governments can apply one hundred percent of their funding to achieving
24 program goals. The amount to the department of revenue shall be used
25 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

26 (b) Twenty percent to the department for local government funding
27 programs for waste reduction, litter control, and recycling activities
28 by cities and counties under RCW 70.93.250, to be administered by the
29 department of ecology; and

30 (c) Thirty percent to the department of ecology for waste reduction
31 and recycling efforts.

32 (2) All taxes imposed in RCW 82.19.010 and fines and bail
33 forfeitures collected or received pursuant to this chapter shall be
34 deposited in the waste reduction, recycling, and litter control account
35 and used for the programs under subsection (1) of this section.

36 (3) Not less than five percent and no more than ten percent of the
37 amount appropriated into the waste reduction, recycling, and litter

1 control account every biennium shall be reserved for capital needs,
2 including the purchase of vehicles for transporting crews and for
3 collecting litter and solid waste. Capital funds shall be distributed
4 among state agencies and local governments according to the same
5 criteria provided in RCW 70.93.220 for the remainder of the funds, so
6 that the most effective waste reduction, litter control, and recycling
7 programs receive the most funding. The intent of this subsection is to
8 provide funds for the purchase of equipment that will enable the
9 department to account for the greatest return on investment in terms of
10 reaching a zero litter goal.

11 (4) During the 2009-2011 fiscal biennium, the legislature may
12 transfer from the waste reduction, recycling, and litter control
13 account to the state general fund such amounts as reflect the excess
14 fund balance of the account. Additionally, during the 2009-2011 fiscal
15 biennium, subsection (1)(a), (b), and (c) of this section is suspended.

16 (5) During the 2011-2013 fiscal biennium, the legislature may
17 transfer from the waste reduction, recycling, and litter control
18 account to the state general fund such amounts as reflect the excess
19 fund balance of the account. Additionally, during the 2011-2013 fiscal
20 biennium, subsection (1)(a), (b), and (c) of this section is suspended.

21 **Sec. 959.** RCW 70.105D.070 and 2010 1st sp.s. c 37 s 942 are each
22 amended to read as follows:

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

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

35 (i) The state's responsibility for hazardous waste planning,
36 management, regulation, enforcement, technical assistance, and public
37 education required under chapter 70.105 RCW;

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

4 (iii) The hazardous waste cleanup program required under this
5 chapter;

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

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

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

12 (vii) Hazardous materials emergency response training;

13 (viii) Water and environmental health protection and monitoring
14 programs;

15 (ix) Programs authorized under chapter 70.146 RCW;

16 (x) A public participation program, including regional citizen
17 advisory committees;

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

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

29 (xiii) During the 2009-2011 and 2011-2013 fiscal ~~((biennium))~~
30 biennia, shoreline update technical assistance; ~~((and))~~

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

33 (xv) During the 2011-2013 fiscal biennium, actions for reducing
34 public exposure to toxic air pollution.

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

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

4 (i) Remedial actions;

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

6 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
7 70.95I, and 70.105 RCW;

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

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

18 (b) Funds for plans and programs shall be allocated consistent with
19 the priorities and matching requirements established in chapters
20 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
21 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
22 project that is referenced in the action agenda developed by the Puget
23 Sound partnership under RCW 90.71.310, shall, except as conditioned by
24 RCW 70.105D.120, receive priority for any available funding for any
25 grant or funding programs or sources that use a competitive bidding
26 process. During the 2007-2009 fiscal biennium, moneys in the account
27 may also be used for grants to local governments to retrofit public
28 sector diesel equipment and for storm water planning and implementation
29 activities.

30 (c) To expedite cleanups throughout the state, the department shall
31 partner with local communities and liable parties for cleanups. The
32 department is authorized to use the following additional strategies in
33 order to ensure a healthful environment for future generations:

34 (i) The director may alter grant-matching requirements to create
35 incentives for local governments to expedite cleanups when one of the
36 following conditions exists:

37 (A) Funding would prevent or mitigate unfair economic hardship
38 imposed by the clean-up liability;

1 (B) Funding would create new substantial economic development,
2 public recreational, or habitat restoration opportunities that would
3 not otherwise occur; or

4 (C) Funding would create an opportunity for acquisition and
5 redevelopment of vacant, orphaned, or abandoned property under RCW
6 70.105D.040(5) that would not otherwise occur;

7 (ii) The use of outside contracts to conduct necessary studies;

8 (iii) The purchase of remedial action cost-cap insurance, when
9 necessary to expedite multiparty clean-up efforts.

10 (d) To facilitate and expedite cleanups using funds from the local
11 toxics control account, during the 2009-2011 fiscal biennium the
12 director may establish grant-funded accounts to hold and disperse local
13 toxics control account funds and funds from local governments to be
14 used for remedial actions.

15 (4) Except for unanticipated receipts under RCW 43.79.260 through
16 43.79.282, moneys in the state and local toxics control accounts may be
17 spent only after appropriation by statute.

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

31 (6) No moneys deposited into either the state or local toxics
32 control account may be used for solid waste incinerator feasibility
33 studies, construction, maintenance, or operation, or, after January 1,
34 2010, for projects designed to address the restoration of Puget Sound,
35 funded in a competitive grant process, that are in conflict with the
36 action agenda developed by the Puget Sound partnership under RCW
37 90.71.310.

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

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

7 (9) During the 2009-2011 fiscal biennium, the local toxics control
8 account may also be used for a standby rescue tug at Neah Bay, local
9 government shoreline update grants, private and public sector diesel
10 equipment retrofit, and oil spill prevention, preparedness, and
11 response activities.

12 (10) During the 2009-2011 fiscal biennium, the legislature may
13 transfer from the state toxics control account to the state general
14 fund such amounts as reflect the excess fund balance in the account.

15 (11) During the 2011-2013 fiscal biennium, the local toxics control
16 account may also be used for local government shoreline update grants
17 and actions for reducing public exposure to toxic air pollution.

18 **Sec. 960.** RCW 70.105D.130 and 2010 1st sp.s. c 37 s 947 are each
19 amended to read as follows:

20 (1) The cleanup settlement account is created in the state
21 treasury. The account is not intended to replace the state toxics
22 control account established under RCW 70.105D.070. All receipts from
23 the sources identified in subsection (2) of this section must be
24 deposited into the account. Moneys in the account may be spent only
25 after appropriation. Expenditures from the account may be used only as
26 identified in subsection (4) of this section.

27 (2) The following receipts must be deposited into the cleanup
28 settlement account:

29 (a) Receipts from settlements or court orders that direct payment
30 to the account and resolve a person's liability or potential liability
31 under this chapter for either or both of the following:

32 (i) Conducting future remedial action at a specific facility, if it
33 is not feasible to require the person to conduct the remedial action
34 based on the person's financial insolvency, limited ability to pay, or
35 insignificant contribution under RCW 70.105D.040(4)(a);

36 (ii) Assessing or addressing the injury to natural resources caused
37 by the release of a hazardous substance from a specific facility; and

1 (b) Receipts from investment of the moneys in the account.

2 (3) If a settlement or court order does not direct payment of
3 receipts described in subsection (2)(a) of this section into the
4 cleanup settlement account, then the receipts from any payment to the
5 state must be deposited into the state toxics control account.

6 (4) Expenditures from the cleanup settlement account may only be
7 used to conduct remedial actions at the specific facility or to assess
8 or address the injury to natural resources caused by the release of
9 hazardous substances from that facility for which the moneys were
10 deposited in the account. Conducting remedial actions or assessing or
11 addressing injury to natural resources includes direct expenditures and
12 indirect expenditures such as department oversight costs. During the
13 2009-2011 and 2011-2013 fiscal (~~biennium~~) biennia, the legislature
14 may transfer excess fund balances in the account into the state
15 efficiency and restructuring account. Transfers of excess fund
16 balances made under this section shall be made only to the extent
17 amounts transferred with required repayments do not impair the ten-year
18 spending plan administered by the department of ecology for
19 environmental remedial actions dedicated for any designated clean-up
20 site associated with the Everett smelter and Tacoma smelter, including
21 plumes, or former Asarco mine sites. The cleanup settlement account
22 must be repaid with interest under provisions of the state efficiency
23 and restructuring account.

24 (5) The department shall track moneys received, interest earned,
25 and moneys expended separately for each facility.

26 (6) After the department determines that all remedial actions at a
27 specific facility, and all actions assessing or addressing injury to
28 natural resources caused by the release of hazardous substances from
29 that facility, are completed, including payment of all related costs,
30 any moneys remaining for the specific facility must be transferred to
31 the state toxics control account established under RCW 70.105D.070.

32 (7) The department shall provide the office of financial management
33 and the fiscal committees of the legislature with a report by October
34 31st of each year regarding the activity within the cleanup settlement
35 account during the previous fiscal year.

36 **Sec. 961.** RCW 74.39A.300 and 2004 c 3 s 2 are each amended to read
37 as follows:

1 (1) Upon meeting the requirements of subsection (2) of this
2 section, the governor must submit, as a part of the proposed biennial
3 or supplemental operating budget submitted to the legislature under RCW
4 43.88.030, a request for funds necessary to administer chapter 3, Laws
5 of 2002 and to implement the compensation and fringe benefits
6 provisions of a collective bargaining agreement entered into under RCW
7 74.39A.270 or for legislation necessary to implement such agreement.

8 (2) Except as provided in subsection (8) of this section, a request
9 for funds necessary to implement the compensation and fringe benefits
10 provisions of a collective bargaining agreement entered into under RCW
11 74.39A.270 shall not be submitted by the governor to the legislature
12 unless such request:

13 (a) Has been submitted to the director of financial management by
14 October 1st prior to the legislative session at which the request is to
15 be considered; and

16 (b) Has been certified by the director of financial management as
17 being feasible financially for the state or reflects the binding
18 decision of an arbitration panel reached under RCW 74.39A.270(2)(c).

19 (3) The legislature must approve or reject the submission of the
20 request for funds as a whole. If the legislature rejects or fails to
21 act on the submission, any such agreement will be reopened solely for
22 the purpose of renegotiating the funds necessary to implement the
23 agreement.

24 (4) When any increase in individual provider wages or benefits is
25 negotiated or agreed to, no increase in wages or benefits negotiated or
26 agreed to under this chapter will take effect unless and until, before
27 its implementation, the department has determined that the increase is
28 consistent with federal law and federal financial participation in the
29 provision of services under Title XIX of the federal social security
30 act.

31 (5) The governor shall periodically consult with the joint
32 committee on employment relations established by RCW 41.80.010
33 regarding appropriations necessary to implement the compensation and
34 fringe benefits provisions of any collective bargaining agreement and,
35 upon completion of negotiations, advise the committee on the elements
36 of the agreement and on any legislation necessary to implement such
37 agreement.

1 (6) After the expiration date of any collective bargaining
2 agreement entered into under RCW 74.39A.270, all of the terms and
3 conditions specified in any such agreement remain in effect until the
4 effective date of a subsequent agreement, not to exceed one year from
5 the expiration date stated in the agreement, except as provided in RCW
6 74.39A.270(6)(f).

7 (7) If, after the compensation and benefit provisions of an
8 agreement are approved by the legislature, a significant revenue
9 shortfall occurs resulting in reduced appropriations, as declared by
10 proclamation of the governor or by resolution of the legislature, both
11 parties shall immediately enter into collective bargaining for a
12 mutually agreed upon modification of the agreement.

13 (8) For the collective bargaining agreements negotiated for the
14 2011-2013 fiscal biennium, the governor may request funds necessary to
15 implement the terms and conditions of an agreement submitted to the
16 office of financial management after October 1st if that agreement is
17 determined to be feasible financially to the state by the director of
18 financial management.

19 **Sec. 962.** RCW 79.64.040 and 2009 c 564 s 957 are each amended to
20 read as follows:

21 (1) The board shall determine the amount deemed necessary in order
22 to achieve the purposes of this chapter and shall provide by rule for
23 the deduction of this amount from the moneys received from all leases,
24 sales, contracts, licenses, permits, easements, and rights-of-way
25 issued by the department and affecting state lands and aquatic lands,
26 provided that no deduction shall be made from the proceeds from
27 agricultural college lands.

28 (2) Moneys received as deposits from successful bidders, advance
29 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150
30 prior to December 1, 1981, which have not been subjected to deduction
31 under this section are not subject to deduction under this section.

32 (3) Except as otherwise provided in subsection (5) of this section,
33 the deductions authorized under this section shall not exceed twenty-
34 five percent of the moneys received by the department in connection
35 with any one transaction pertaining to state lands and aquatic lands
36 other than second-class tide and shore lands and the beds of navigable

1 waters, and fifty percent of the moneys received by the department
2 pertaining to second-class tide and shore lands and the beds of
3 navigable waters.

4 (4) In the event that the department sells logs using the contract
5 harvesting process described in RCW 79.15.500 through 79.15.530, the
6 moneys received subject to this section are the net proceeds from the
7 contract harvesting sale.

8 (5) During the 2009-2011 and 2011-2013 fiscal (~~(biennium)~~) biennia,
9 the twenty-five percent limitation on deductions set in subsection (3)
10 of this section may be increased up to thirty percent by the board.

11 **Sec. 963.** RCW 79.105.150 and 2010 1st sp.s. c 37 s 949 are each
12 amended to read as follows:

13 (1) After deduction for management costs as provided in RCW
14 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
15 received by the state from the sale or lease of state-owned aquatic
16 lands and from the sale of valuable material from state-owned aquatic
17 lands shall be deposited in the aquatic lands enhancement account which
18 is hereby created in the state treasury. After appropriation, these
19 funds shall be used solely for aquatic lands enhancement projects; for
20 the purchase, improvement, or protection of aquatic lands for public
21 purposes; for providing and improving access to the lands; and for
22 volunteer cooperative fish and game projects. During the 2009-2011
23 fiscal biennium, the aquatic lands enhancement account may also be used
24 for scientific research as part of the adaptive management process.
25 During the 2009-2011 (~~(fiscal biennium)~~) and 2011-2013 fiscal biennia,
26 the legislature may transfer from the aquatic lands enhancement account
27 to the state general fund such amounts as reflect excess fund balance
28 of the account.

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

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

33 (b) Utilize the statement of environmental benefits, consideration,
34 except as provided in RCW 79.105.610, of whether the applicant is a
35 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
36 referenced in the action agenda developed by the Puget Sound
37 partnership under RCW 90.71.310, and except as otherwise provided in

1 RCW 79.105.630, and effective one calendar year following the
2 development and statewide availability of model evergreen community
3 management plans and ordinances under RCW 35.105.050, whether the
4 applicant is an entity that has been recognized, and what gradation of
5 recognition was received, in the evergreen community recognition
6 program created in RCW 35.105.030 in its prioritization and selection
7 process; and

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

10 (3) To the extent possible, the department should coordinate its
11 performance measure system with other natural resource-related agencies
12 as defined in RCW 43.41.270.

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

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

19 **Sec. 964.** RCW 86.26.007 and 2009 c 564 s 961 are each amended to
20 read as follows:

21 The flood control assistance account is hereby established in the
22 state treasury. At the beginning of the 2005-2007 fiscal biennium, the
23 state treasurer shall transfer three million dollars from the general
24 fund to the flood control assistance account. Each biennium thereafter
25 the state treasurer shall transfer four million dollars from the
26 general fund to the flood control assistance account, except that
27 during the 2009-2011 and 2011-2013 fiscal (~~(biennium)~~) biennia, the
28 state treasurer shall transfer two million dollars from the general
29 fund to the flood control assistance account. Moneys in the flood
30 control assistance account may be spent only after appropriation for
31 purposes specified under this chapter.

32 NEW SECTION. **Sec. 965.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the
34 remainder of the act or the application of the provision to other
35 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 966.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately, except for section 951 of this act which takes effect June
5 30, 2011.

(End of part)

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