

SIXTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, March 13, 2008

The Senate was called to order at 9:30 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Brown, Hewitt, Holmquist and Pflug.

The Sergeant at Arms Color Guard consisting of Pages John Rogers and Molly Zweig, presented the Colors. Pastor Steve Carpenter of the South Sound Community Church offered the prayer.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Eide, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

March 7, 2008

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

J. A. BRICKER, reappointed April 4, 2008, for the term ending April 3, 2012, as Member of the State Board for Community and Technical Colleges.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education.

MOTION

On motion of Senator Eide, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6956 by Senator Jacobsen

AN ACT Relating to convening a conference on enhancing marketing opportunities for local agricultural products; and creating a new section.

Referred to Committee on Agriculture & Rural Economic Development.

SB 6957 by Senator Jacobsen

AN ACT Relating to the state indigenous mammal; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

SCR 8413 by Senators Brown and Hewitt

Adjourning sine die.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Concurrent Resolution No. 8413 which was placed on the second reading calendar under suspension of the rules.

MOTION

On motion of Senator Eide, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5010,  
SUBSTITUTE SENATE BILL NO. 5254,  
SUBSTITUTE SENATE BILL NO. 5378,  
ENGROSSED SENATE BILL NO. 5751,  
SENATE BILL NO. 5878,  
SUBSTITUTE SENATE BILL NO. 6195,  
SECOND SUBSTITUTE SENATE BILL NO. 6206,  
SENATE BILL NO. 6313,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6333,  
SUBSTITUTE SENATE BILL NO. 6339,  
ENGROSSED SENATE BILL NO. 6357,  
SENATE BILL NO. 6375,  
SECOND SUBSTITUTE SENATE BILL NO. 6377,  
SUBSTITUTE SENATE BILL NO. 6389,  
SENATE BILL NO. 6421,  
SECOND SUBSTITUTE SENATE BILL NO. 6468,  
SECOND SUBSTITUTE SENATE BILL NO. 6483,  
SUBSTITUTE SENATE BILL NO. 6510,  
SUBSTITUTE SENATE BILL NO. 6527,  
SENATE BILL NO. 6534,  
SUBSTITUTE SENATE BILL NO. 6556,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6573,  
SUBSTITUTE SENATE BILL NO. 6583,  
SENATE BILL NO. 6628,  
ENGROSSED SENATE BILL NO. 6629,  
SENATE BILL NO. 6722,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6809,  
SENATE BILL NO. 6818,  
ENGROSSED SENATE BILL NO. 6821,  
SUBSTITUTE SENATE BILL NO. 6828,  
SENATE BILL NO. 6839,  
SENATE BILL NO. 6950,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2844,

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ENGROSSED SUBSTITUTE HOUSE BILL NO. 2878,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:

The House has passed the following bills:  
SECOND SUBSTITUTE SENATE BILL NO. 6227,  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:

The House has passed the following bills:  
SENATE BILL NO. 6657,  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pridemore moved that Gubernatorial Appointment No. 9343, Philip A. Parker, as a member of the Transportation Commission, be confirmed.

Senator Pridemore spoke in favor of the motion.

MOTION

On motion of Senator Brandland, Senators Holmquist and Pflug were excused.

APPOINTMENT OF PHILIP A. PARKER

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9343, Philip A. Parker as a member of the Transportation Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9343, Philip A. Parker as a member of the Transportation Commission and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 2; Excused, 2.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 45

Absent: Senators Brown and Hewitt - 2  
Excused: Senators Holmquist and Pflug - 2

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Gubernatorial Appointment No. 9343, Philip A. Parker, having received the constitutional majority was declared confirmed as a member of the Transportation Commission.

MOTION

On motion of Senator Delvin, Senator Benton was excused.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Gubernatorial Appointment No. 9304, Sherry Gates, as a member of the Board of Trustees, Green River Community College District No. 10, be confirmed. Senator Kauffman spoke in favor of the motion.

MOTION

On motion of Senator Regala, Senator Brown was excused.

APPOINTMENT OF SHERRY GATES

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9304, Sherry Gates as a member of the Board of Trustees, Green River Community College District No. 10.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9304, Sherry Gates as a member of the Board of Trustees, Green River Community College District No. 10 and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 45

Excused: Senators Benton, Brown, Holmquist and Pflug - 4  
Gubernatorial Appointment No. 9304, Sherry Gates, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Green River Community College District No. 10.

MOTION

On motion of Senator Eide, the Senate advanced to the eighth order of business.

MOTION

Senator Hargrove moved adoption of the following resolution:

SENATE RESOLUTION  
8725

By Senators Hargrove, Kilmer, Jacobsen, Rasmussen, Prentice, Fraser, Morton, McCaslin, Spanel, Franklin, Haugen, Honeyford, Swecker, Tom, and Schoesler

WHEREAS, The Washington State Legislature recognizes the thirty-five years of strong and devoted service provided by former House and Senate member Paul Conner; and

WHEREAS, Mr. Conner, born in 1925, was a lifelong resident of the 24th District, residing in the Port Angeles and Sequim area; and

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WHEREAS, Paul Conner was an orphan in his youth who was gratefully taken in by many families in the Port Angeles area; and

WHEREAS, Paul Conner has attributed the efforts of these families to his personal commitment to public service; and

WHEREAS, Paul Conner was first appointed to the Senate in 1957 where he served the 24th District until 1959; and

WHEREAS, Paul Conner was then elected to the House of Representatives in 1958 to serve the 24th District from 1959 until 1977 as House Majority Whip, House Caucus Chairman, and Chairman of the House of Transportation Committee; and

WHEREAS, Paul Conner fell only one vote shy of being elected Speaker of the House of Representatives in the early 1970s; and

WHEREAS, Paul Conner was elected in 1977 to the Senate continuing his service to the 24th District until 1993; and

WHEREAS, Paul Conner was very passionate and very committed to transportation and natural resource issues in his district; and

WHEREAS, Paul Conner was amazingly successful in the battle to remove tolls on the Hood Canal Bridge, instrumental in the authorization of the year-round state ferry service between Port Townsend and Keystone, and in drafting a 29 million dollar salmon enhancement program; and

WHEREAS, Paul Conner was also legendary for his constituent work, sending out letters to constituents on their birthdays and combing through the newly distributed district phone books to call people he had not yet met; and

WHEREAS, Paul Conner was also famous for the postsession letters he would send to staff and lobbyists thanking them for their good works on his behalf, as well as on behalf of the state and its citizens; and

WHEREAS, Paul Conner worked in Port Angeles outside of his legislative position for Clallam County Public Utility District, and later as a longshoreman in the International Longshoremen's Union Local 27; and

WHEREAS, In 2001 Mr. Conner was inducted into the Washington State Eagles Hall of Fame after many years of serving as a member and officer of the Fraternal Order of Eagles; and

WHEREAS, Paul Conner was a skilled statesman and inspirational leader; and

WHEREAS, In his passing on January 27, 2008, we all mourn the loss of Paul Conner and will miss his contributions to the entire state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, on behalf of the residents of the state of Washington, honor the service and devotion of all thirty-five years that Paul Conner contributed and extend its deepest condolences to his wife Thelma, his family, friends, and community; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to his wife Thelma, and the family and friends of Paul Conner.

Senators Hargrove, Prentice, Kilmer, Jacobsen, McCaslin and Haugen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8725.

The motion by Senator Hargrove carried and the resolution was adopted by voice vote.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of Paul Conners family, wife Thelma Conner; son Kevin Conner and his wife Christy; daughter Paula Smith; her husband Dennis Smith; sister-in-law Betty Chase; and brother-in-law Leroy Chase who were seated in the gallery.

#### PERSONAL PRIVILEGE

Senator Schoesler: "Mr. President, I've tried to limit my floor resolutions this year but I feel compelled to talk about another passing in the past year and that was former Senator

Gene Prince. Gene Prince started as a staff member in the other body about the time I was born and he was there through that career in the capacities of staff up through Clerk, member and caucus chair. He served in this body, finishing his career as a Transportation Chair, moving on to Liquor Board. Gene's funeral was an interesting event, to have a Republican Senator from Eastern Washington eulogized by a former Democratic Governor. That doesn't happen very often. I think of those memories and those little expressions like, 'What'd you know,' that stuck with me so long. The love for a bowl of ice cream that was legendary with his family and friends. His love of Higher Education, Transportation, his farm and his wife Patsy. It was a sad event for Higher Education, Agriculture and the sad event for all the passing of Eugene Prince last fall. Thank you."

#### PERSONAL PRIVILEGE

Senator Jacobsen: "I'd also have to, I went to Gene's funeral and when I got elected in '83 and Gary Locke was in the class and I was Vice Chair of House Higher Ed and Bill Burns was the Chair and Gene was the Ranking Minority that year. He ended up really mentoring me well and he worked in a bi-partisan fashion and I think I still have some of that style that maybe we don't see here everyday now. Gene was inclined to let the committee vote on all the amendments and whatever passed he felt that's how you represent the bill on the floor because it reflected the thinking of the committee. He was always very conscientious public policy but the other thing Gene placed highest of all was the integrity of this institution. He started out as a bill clerk here, worked with Ralph Munro and Sid was, I don't know where Sid Snyder was, but they were like friends and they grew up in this place. He just felt that it was so important. He was way into conference committees, I will tell you that. He liked to go back to five signatures. We'd gone to four but he felt the more you had on the conference committee the more reflected the bi-partisan approach to things. He was a heck of a guy. I'm going to miss him."

#### SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 6657,  
SUBSTITUTE SENATE BILL NO. 6806,  
SECOND ENGROSSED SUBSTITUTE SENATE  
CONCURRENT RESOLUTION NO. 8407,

#### SIGNED BY THE PRESIDENT

The President signed:  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
2844,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2878,

#### MOTION

At 10:07 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:32 a.m. by President Owen.

#### MOTION

On motion of Senator Eide, the Senate reverted to the fourth order of business.

REPORT OF THE CONFERENCE REPORT  
Engrossed Substitute House Bill No. 2687  
March 12, 2008

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MR. PRESIDENT:

MR. SPEAKER:

We of your conference committee, to whom was referred Engrossed Substitute House Bill No. 2687, have had the same under consideration and recommend that all previous amendments not be adopted and that the following striking amendment be adopted:

Strike everything after the enacting clause and insert the following:

**"PART I  
GENERAL GOVERNMENT**

**Sec. 101.** 2007 c 522 s 101 (uncodified) is amended to read as follows:

**FOR THE HOUSE OF REPRESENTATIVES**

General Fund--State Appropriation (FY 2008)	<del>((34,522,000))</del>
	<u>\$34,807,000</u>
General Fund--State Appropriation (FY 2009)	<del>((35,598,000))</del>
	<u>\$36,010,000</u>
Pension Funding Stabilization Account	
Appropriation	\$560,000
TOTAL APPROPRIATION	<del>((70,680,000))</del>
	<u>\$71,377,000</u>

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

(1) \$56,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to implement Senate Bill No. 5926 (construction industry). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(2) \$52,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Third Substitute House Bill No. 1741 (oral history). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(3) \$194,000 of the general fund--state appropriation for fiscal year 2008 and \$194,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the legislature to contract for an independent economic and actuarial analysis of health care reform proposals pursuant to Engrossed Substitute Senate Bill No. 6333. The results of this evaluation will be submitted to the governor, the health and fiscal policy committees of the legislature, and the work group by December 15, 2008.

**Sec. 102.** 2007 c 522 s 102 (uncodified) is amended to read as follows:

**FOR THE SENATE**

General Fund--State Appropriation (FY 2008)	<del>((26,483,000))</del>
	<u>\$26,990,000</u>
General Fund--State Appropriation (FY 2009)	<del>((29,196,000))</del>
	<u>\$29,434,000</u>
Pension Funding Stabilization Account	
Appropriation	\$467,000
TOTAL APPROPRIATION	<del>((56,146,000))</del>
	<u>\$56,891,000</u>

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

(1) \$56,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to implement Senate Bill No. 5926 (construction industry). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(2) \$52,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Third Substitute House Bill No. 1741 (oral history). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

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(3) \$194,000 of the general fund--state appropriation for fiscal year 2008 and \$194,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the legislature to contract for an independent economic and actuarial analysis of health care reform proposals pursuant to Engrossed Substitute Senate Bill No. 6333. The results of this evaluation will be submitted to the governor, the health and fiscal policy committees of the legislature, and the work group by December 15, 2008.

**Sec. 103.** 2007 c 522 s 103 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008)	<del>((3,377,000))</del>
	<u>\$3,378,000</u>
General Fund--State Appropriation (FY 2009)	<del>((3,155,000))</del>
	<u>\$3,355,000</u>
Pension Funding Stabilization Account	
Appropriation	\$36,000
TOTAL APPROPRIATION	<del>((6,568,000))</del>
	<u>\$6,769,000</u>

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

(1) Notwithstanding the provisions in this section, the committee may adjust the due dates for projects included on the committee's 2007-09 work plan as necessary to efficiently manage workload.

(2) \$100,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the joint legislative audit and review committee to conduct a review of the method used to determine lease rates for state-owned aquatic lands. The review shall include classification of current lease base and lease rates by category of use such as marinas; a review of previous studies of formulas for state-owned aquatic land leases; and identification of pros and cons of alternative approaches to calculating aquatic lands lease rates. The committee shall complete the review by June 2008.

(3) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the joint legislative audit and review committee to conduct an evaluation and comparison of the cost efficiency of rental housing voucher programs versus other housing projects intended to assist low-income households, including construction and rehabilitation of housing units. The study will consider factors including administrative costs, capital costs, and other operating costs involved in operating voucher and other housing programs. The study will compare the number of households that can be served by voucher and other housing programs, given a set amount of available funds. The department of community, trade, and economic development, the housing finance commission, housing authorities, community action agencies, and local governments shall provide the joint legislative audit and review committee with information necessary for the study. The joint legislative audit and review committee shall solicit input regarding the study from interested parties, including representatives from the affordable housing advisory board, the department of community, trade, and economic development, the housing finance commission, representatives from the private rental housing industry, housing authorities, community action agencies, county and city governments, and nonprofit and for-profit housing developers. The joint legislative audit and review committee shall present the results of the study to the legislature by December 31, 2008.

(4) \$100,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for a cost analysis of the programs and activities administered by the department of fish and wildlife. In conducting the study, the committee shall

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specifically identify the total costs that support both hunting and fishing programs as well as nongame programs, including appropriate shares of the agency's administrative and indirect costs. The committee shall compare the cost analysis to revenues that currently support the programs, including the level of support received from game licenses and fees. The committee shall base its analysis on available management information and shall provide the results of its analysis to the legislature by January 2008.

(5) \$164,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the joint legislative audit and review committee to analyze gaps throughout the state in the availability and accessibility of services identified in the federal adoption and safe families act as directed by Substitute House Bill No. 1333 (child welfare). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(6) Within the amounts appropriated in this section, the joint legislative audit and review committee shall conduct an analysis of the qualifications required to become a social worker I, II, III, or IV within the department of social and health services children's administration. The committee shall conduct an analysis of the qualifications used by other states for equivalent categories of social workers. The committee shall analyze the strengths and weaknesses of Washington's qualifications relative to the other states. The findings shall be reported to the legislature by December 1, 2007.

(7) Within amounts provided in this section, the committee shall conduct a review of the eligibility requirements and eligibility review processes that apply to any state program that offers individual health care coverage for qualified recipients.

(8) \$75,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(9) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Second Substitute House Bill No. 1488 (oil spill program). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(10) Within the amounts provided in this section, the committee shall review the constitutional, case law, and statutory objectives and obligations of the department of natural resources' management of state-owned aquatic lands. The review will include an assessment of the degree to which the management practices of the department and other agencies are meeting these objectives and complying with legal obligations.

(11) \$38,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed House Bill No. 2641 (education performance agreements). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(12) Within the amounts appropriated in this section, the joint legislative audit and review committee shall conduct a preaudit for a comprehensive review of boards and commissions. The preaudit study will inventory the existing boards/commissions, identify criteria for selecting entities for further review, propose the scope and objectives of those reviews, and identify resource and schedule options for the committee to consider before proceeding.

(13) The joint legislative audit and review committee shall develop a framework for future efforts to quantify and analyze health care spending across all sectors of the state. This effort would focus on identifying the relevant types of spending in the public and private sectors, the availability of information on each of those types of spending, and the extent to which that available information could be tracked over time. In conducting this work, the committee shall work with the legislative evaluation and accountability program committee and the University of Washington's institute for health metrics and

evaluation, as appropriate. The committee shall provide a report by January 2009.

(14) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for beginning a cost-benefit analysis of a state-supported recreational facility. The objective of this analysis will be to compare the total capital and operating costs for the facility to the total benefits that have accrued over time and identify which parties have borne the costs and which parties have received the benefits.

**Sec. 104.** 2007 c 522 s 104 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008)	....	\$1,843,000
General Fund--State Appropriation (FY 2009)	..	<del>(\$2,068,000)</del>
		<u>\$2,038,000</u>
Pension Funding Stabilization Account		
Appropriation	.....	\$41,000
		<del>TOTAL APPROPRIATION .. (\$3,952,000)</del>
		<u>\$3,922,000</u>

**Sec. 105.** 2007 c 522 s 105 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund--State Appropriation (FY 2009)	.....	\$25,000
Department of Retirement Systems Expense Account--		
State Appropriation	.....	<del>(\$3,517,000)</del>
		<u>\$3,491,000</u>
		<u>TOTAL APPROPRIATION .. \$3,516,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$25,000 of the general fund--state appropriation for 2009 is provided solely for the purchase of actuarial services to assist in the evaluation of the fiscal impact of health benefit proposals.

**Sec. 106.** 2007 c 522 s 106 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund--State Appropriation (FY 2008)	..	<del>(\$9,023,000)</del>
		<u>\$9,057,000</u>
General Fund--State Appropriation (FY 2009)	..	<del>(\$9,198,000)</del>
		<u>\$9,151,000</u>
Pension Funding Stabilization Account		
Appropriation	.....	\$92,000
		<del>TOTAL APPROPRIATION . (\$18,313,000)</del>
		<u>\$18,300,000</u>

**Sec. 107.** 2007 c 522 s 107 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund--State Appropriation (FY 2008)	..	<del>(\$4,810,000)</del>
		<u>\$4,811,000</u>
General Fund--State Appropriation (FY 2009)	..	<del>(\$5,301,000)</del>
		<u>\$5,220,000</u>
Pension Funding Stabilization Account		
Appropriation	.....	\$75,000
		<del>TOTAL APPROPRIATION . (\$10,186,000)</del>
		<u>\$10,106,000</u>

**Sec. 108.** 2007 c 522 s 109 (uncodified) is amended to read as follows:

**FOR THE SUPREME COURT**

General Fund--State Appropriation (FY 2008)	..	<del>(\$7,255,000)</del>
		<u>\$7,392,000</u>

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General Fund--State Appropriation (FY 2009) . ~~((\$7,510,000))~~  
\$7,598,000  
TOTAL APPROPRIATION . ~~((\$14,765,000))~~  
\$14,990,000

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the general fund--state appropriation for fiscal year 2008 and \$55,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement the task force on domestic violence as requested by section 306 of Second Substitute Senate Bill No. 5470 (dissolution proceedings). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

**Sec. 109.** 2007 c 522 s 110 (uncodified) is amended to read as follows:

**FOR THE LAW LIBRARY**

General Fund--State Appropriation (FY 2008) . ~~((\$2,231,000))~~  
\$2,268,000  
General Fund--State Appropriation (FY 2009) . ~~((\$2,259,000))~~  
\$2,269,000  
TOTAL APPROPRIATION . ~~((\$4,490,000))~~  
\$4,537,000

**Sec. 110.** 2007 c 522 s 111 (uncodified) is amended to read as follows:

**FOR THE COURT OF APPEALS**

General Fund--State Appropriation (FY 2008) ~~((\$15,779,000))~~  
\$16,092,000  
General Fund--State Appropriation (FY 2009) ~~((\$16,819,000))~~  
\$17,145,000  
TOTAL APPROPRIATION . ~~((\$32,598,000))~~  
\$33,237,000

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for chapter 34, Laws of 2007 (Senate Bill No. 5351, court of appeals judges' travel).

**Sec. 111.** 2007 c 522 s 112 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund--State Appropriation (FY 2008) . . . . \$1,117,000  
General Fund--State Appropriation (FY 2009) . ~~((\$1,148,000))~~  
\$1,134,000  
TOTAL APPROPRIATION . ~~((\$2,265,000))~~  
\$2,251,000

**Sec. 112.** 2007 c 522 s 113 (uncodified) is amended to read as follows:

**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund--State Appropriation (FY 2008) ~~((\$29,011,000))~~  
\$30,659,000  
General Fund--State Appropriation (FY 2009) ~~((\$30,148,000))~~  
\$33,447,000  
Public Safety and Education Account--State  
Appropriation (FY 2008) . . . . . ~~((\$24,071,000))~~  
\$22,558,000  
Public Safety and Education Account--State  
Appropriation (FY 2009) . . . . . ~~((\$24,223,000))~~  
\$24,199,000  
Equal Justice Subaccount of the Public Safety and  
Education Account--State Appropriation (FY 2008)  
. . . . . \$3,175,000  
Equal Justice Subaccount of the Public Safety and  
Education Account--State Appropriation (FY 2009)

..... \$3,175,000  
Judicial Information Systems Account--State  
Appropriation . . . . . ~~((\$39,437,000))~~  
\$40,923,000  
TOTAL APPROPRIATION ~~((\$153,240,000))~~  
\$158,136,000

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

(1) \$3,900,000 of the general fund--state appropriation for fiscal year 2008 and \$3,900,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for court-appointed special advocates in dependency matters. The administrator for the courts, after consulting with the association of juvenile court administrators and the association of court-appointed special advocate/guardian ad litem programs, shall distribute the funds to volunteer court-appointed special advocate/guardian ad litem programs. The distribution of funding shall be based on the number of children who need volunteer court-appointed special advocate representation and shall be equally accessible to all volunteer court-appointed special advocate/guardian ad litem programs. The administrator for the courts shall not retain more than six percent of total funding to cover administrative or any other agency costs. Funding distributed in this subsection shall not be used to supplant existing local funding for the court-appointed special advocates program.

(2) \$300,000 of the general fund--state appropriation for fiscal year 2008, \$300,000 of the general fund--state appropriation for fiscal year 2009, \$1,500,000 of the public safety and education account--state appropriation for fiscal year 2008, and \$1,500,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The office of the administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(3)(a) \$1,640,000 of the general fund--state appropriation for fiscal year 2008, \$1,641,000 of the general fund--state appropriation for fiscal year 2009, \$6,612,000 of the public safety and education account--state appropriation for fiscal year 2008, and \$6,612,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2007-09 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives appropriations committee and the senate ways and means committee no later than 60 days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(4) The distributions made under this subsection and distributions from the county criminal justice assistance account

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made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(5) \$325,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the completion of the juror pay pilot and research project.

(6) ~~(\$1,000,000)~~ \$830,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$1,000,000)~~ \$1,170,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for improving interpreter services at the trial court level.

(a) Of these amounts, ~~(\$340,000)~~ \$170,000 for fiscal year 2008 ~~(is)~~ and \$170,000 for fiscal year 2009 are provided solely to assist trial courts in developing and implementing language assistance plans. The administrator of the courts, in consultation with the interpreter commission, shall adopt language assistance plan standards consistent with chapters 2.42 and 2.43 RCW. The standards shall include guidelines on local community input, provisions on notifying court users on the right and methods to obtain an interpreter, information on training for judges and court personnel, procedures for identifying and appointing an interpreter, access to translations of commonly used forms, and processes to evaluate the development and implementation of the plan.

(b) Of these amounts, \$610,000 for fiscal year 2008 and \$950,000 for fiscal year 2009 are provided solely to assist trial courts with interpreter services. In order to be eligible for assistance, a trial court must have completed a language assistance plan consistent with the standards established in (a) of this subsection that is approved by the administrator of the courts and submit the amounts spent annually on interpreter services for fiscal years 2005, 2006, and 2007. The funding in this subsection (b) shall not be used to supplant existing funding and cannot be used for any purpose other than assisting trial courts with interpreter services. At the end of the fiscal year, recipients shall report to the administrator of the court the amount the trial court spent on interpreter services.

(c) \$50,000 for fiscal year 2008 and \$50,000 for fiscal year 2009 are provided solely to the administrator of the courts for administration of this subsection. By December 1, 2009, the administrator of the courts shall report to the appropriate policy and fiscal committees of the legislature: (i) The number of trial courts in the state that have completed a language assistance plan; (ii) the number of trial courts in the state that have not completed a language assistance plan; (iii) the number of trial courts in the state that received assistance under this subsection, the amount of the assistance, and the amount each trial court spent on interpreter services for fiscal years 2005 through 2008 and fiscal year 2009 to date.

(7) \$443,000 of the general fund--state appropriation for fiscal year 2008 and \$543,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Second Substitute Senate Bill No. 5470 (dissolution proceedings). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse. Within the amounts provided:

(a) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for developing training materials for the family court liaisons.

(b) \$43,000 of the general fund--state appropriation for fiscal year 2008 and \$43,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for reimbursement costs related to the family law handbook;

(c) \$350,000 of the general fund--state appropriation for fiscal year 2008 and \$350,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for distribution to counties to provide guardian ad litem services for the indigent for a reduced or waived fee;

(d) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for

implementing the data tracking provisions specified in sections 701 and 702 of Second Substitute Senate Bill No. 5470 (dissolution).

(8)(a) \$20,458,000 of the judicial information systems account--state appropriation is provided solely for the development and implementation of the core case management system. In expending the funds provided within this subsection, the following conditions must first be satisfied before any subsequent funds may be expended:

- (i) Completion of feasibility studies detailing linkages between the objectives of the core case management system and the following: The technology efforts required and the impacts of the new investments on existing infrastructure and business functions, including the estimated fiscal impacts to the judicial information systems account and the near general fund accounts; the alignment of critical system requirements of varying size courts at the municipal, district, and superior court level with their respective proposed business processes resulting from business process engineering, and detail on the costs and other impacts to the courts for providing critical business requirements not addressed by new common business processes; the specific requirements and business process needs of state agencies dependent on data exchange with the judicial information system; and the results from a proof of implementation phase; and
- (ii) Discussion with and presentation to the department of information systems and the information services board regarding the impact on the state agencies dependent on successful data exchange with the judicial information system and the results of the feasibility studies.

(b) The judicial information systems committee shall provide quarterly updates to the appropriate committees of the legislature and the department of information systems on the status of implementation of the core case management system.

(c) The legislature respectfully requests the judicial information systems committee invite representatives from the state agencies dependent on successful data exchange to their regular meetings for consultation as nonvoting members.

~~((+))~~ (9) \$534,000 of the general fund--state appropriation for fiscal year 2008 and \$949,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for Substitute Senate Bill No. 5320 (public guardianship office). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(10) \$29,000 of the general fund--state appropriation for fiscal year 2008 and \$102,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the twenty-third superior court judge position in Pierce county. The funds appropriated in this subsection shall be expended only if the judge is appointed and serving on the bench.

(11) \$800,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement Second Substitute House Bill No. 2822 (family and juvenile court). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(12) \$90,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement Second Substitute House Bill No. 2903 (access coordinator). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 113. 2007 c 522 s 114 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund--State Appropriation (FY 2008)	<del>(\$18,014,000)</del>
	\$17,814,000
General Fund--State Appropriation (FY 2009)	<del>(\$18,016,000)</del>
	\$18,137,000
Public Safety and Education Account--State	
Appropriation (FY 2008)	\$7,066,000

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 Public Safety and Education Account--State  
 Appropriation (FY 2009) . . . . . ~~(\$7,025,000)~~  
 \$7,013,000

Equal Justice Subaccount of the Public Safety and  
 Education Account--State Appropriation (FY 2008)  
 . . . . . \$2,250,000  
 Equal Justice Subaccount of the Public Safety and  
 Education Account--State Appropriation (FY 2009)  
 . . . . . \$2,251,000  
 TOTAL APPROPRIATION . ~~(\$54,622,000)~~  
 \$54,531,000

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

(1) The amounts provided from the public safety and education account appropriations include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$398,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to expand the parents representation program into Whatcom county.

(3) Starting with fiscal year 2009, the office shall adjust its monthly, annual, and biennial accounting records so that the expenditures by fund, object, and subobject are attributed to the following programs: (a) Appellate indigent defense; (b) representation of indigent parents qualified for appointed counsel in dependency and termination cases; (c) trial court criminal indigent defense; (d) other grants or contracted services; and (e) costs for administering the office. The office may consult with the administrator for the courts, the office of financial management, and the legislative evaluation and accountability program committee for guidance in adjusting its accounting records.

(4) \$235,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement sections 2 and 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term well-being). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 114. 2007 c 522 s 116 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund--State Appropriation (FY 2008) . ~~(\$6,614,000)~~  
 \$6,615,000  
 General Fund--State Appropriation (FY 2009) . ~~(\$6,758,000)~~  
 \$6,959,000  
~~(General Fund--Federal Appropriation . . . . . \$35,000)~~  
 Economic Development Strategic Reserve Account--State  
 Appropriation . . . . . ~~(\$4,000,000)~~  
 \$6,000,000  
 Oil Spill Prevention Account--State Appropriation . . \$715,000  
 TOTAL APPROPRIATION . ~~(\$18,122,000)~~  
 \$20,289,000

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

(1) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 5224 (salmon office). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(2) \$25,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Senate Bill No. 6313 (disability history). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(3) \$2,000,000 of the economic development and strategic reserve account--state appropriation for fiscal year 2009 is provided solely to provide support and assistance to victims of the December 2007 storms and floods in Chehalis and Centralia.

Sec. 115. 2007 c 522 s 117 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund--State Appropriation (FY 2008) . . . . \$798,000  
 General Fund--State Appropriation (FY 2009) . . ~~(\$837,000)~~  
 \$821,000  
 General Fund--Private/Local Appropriation . . . . . \$90,000  
 TOTAL APPROPRIATION . ~~(\$1,725,000)~~  
 \$1,709,000

Sec. 116. 2007 c 522 s 118 (uncodified) is amended to read as follows:

**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund--State Appropriation (FY 2008) . . . . \$2,546,000  
 General Fund--State Appropriation (FY 2009) . ~~(\$2,499,000)~~  
 \$2,448,000  
 TOTAL APPROPRIATION . ~~(\$5,045,000)~~  
 \$4,994,000

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the general fund--state appropriation for fiscal year 2008 is for a feasibility study to determine the cost of designing, developing, implementing, and maintaining: (a) Software or other applications to accommodate electronic filing by lobbyists reporting under RCW 42.17.150 and 42.17.170, by lobbyist employers reporting under RCW 42.17.180, and by public agencies reporting under RCW 42.17.190; (b) a database and query system that results in data that is readily available to the public for review and analysis and that is compatible with current computer architecture, technology, and operating systems, including but not limited to Windows and Apple operating systems. The commission shall contract for the feasibility study and consult with the department of information services. The study may include other elements, as determined by the commission, that promote public access to information about lobbying activity reportable under chapter 42.17 RCW. The study shall be provided to the legislature by January 2008.

Sec. 117. 2007 c 522 s 119 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund--State Appropriation (FY 2008) ~~(\$32,941,000)~~  
 \$33,863,000  
 General Fund--State Appropriation (FY 2009) ~~(\$21,774,000)~~  
 \$21,816,000  
 General Fund--Federal Appropriation . . . . . ~~(\$7,312,000)~~  
 \$7,279,000  
 General Fund--Private/Local Appropriation . . . . . ~~(\$134,000)~~  
 \$132,000  
 Archives and Records Management Account--State  
 Appropriation . . . . . ~~(\$8,390,000)~~  
 \$8,339,000  
 Department of Personnel Service Account--State  
 Appropriation . . . . . ~~(\$768,000)~~  
 \$760,000  
 Local Government Archives Account--State  
 Appropriation . . . . . ~~(\$13,791,000)~~  
 \$15,344,000  
 Election Account--Federal Appropriation . . . . ~~(\$39,103,000)~~  
 \$31,511,000  
 Charitable Organization Education Account--State  
 Appropriation . . . . . \$122,000  
 TOTAL APPROPRIATION ~~(\$124,335,000)~~  
 \$119,166,000

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



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(1) (~~(\$13,104,000)~~) \$13,290,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2) (~~(\$2,421,000)~~) \$2,556,000 of the general fund--state appropriation for fiscal year 2008 and (~~(\$3,893,000)~~) \$3,965,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the verification of initiative and referendum petitions, maintenance of related voter registration records, and the publication and distribution of the voters and candidates pamphlet.

(3) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$118,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for legal advertising of state measures under RCW 29A.52.330.

(4)(a) \$2,465,000 of the general fund--state appropriation for fiscal year 2008 and \$2,501,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2007-09 biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

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

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

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

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

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

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

(5) \$45,000 of the general fund--state appropriation for fiscal year 2008 and \$45,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for humanities Washington's "we the people" community conversations program.

(6) \$122,000 of the charitable organization education account--state appropriation is provided solely for implementation of Substitute House Bill No. 1777 (charitable organizations). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(7) \$575,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for settlement costs and attorney fees resulting from the resolution of *Washington Association of Churches, et al. v. Reed*, United States District Court Western District of Washington at Seattle, Case No. CV06-0726RSM.

**Sec. 118.** 2007 c 522 s 120 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008) . . . . .	\$348,000
General Fund--State Appropriation (FY 2009) . . . ( <del>(\$317,000)</del> )	
	\$463,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(<del>(\$665,000)</del>)</b>
	\$811,000

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

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

(2) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the office to engage a contractor to conduct a detailed analysis of the achievement gap for Native American students; analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070; recommend a comprehensive plan for closing the achievement gap pursuant to goals under the federal no child left behind act for all groups of students to meet academic standards by 2014; and identify performance measures to monitor adequate yearly progress. The contractor shall conduct the analysis starting with the call to action paper by the multi-ethnic think tank and as guided by the tribal leader congress on education, the Washington state school directors association, and other appropriate groups. The contractor shall submit a study update by September 15, 2008, and submit a final report by December 30, 2008, to the governor, the superintendent of public instruction, the state board of education, the P-20 council, the basic education finance task force, and the education committees of the legislature.

**Sec. 119.** 2007 c 522 s 121 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008) . . . . .	\$257,000
General Fund--State Appropriation (FY 2009) . . . ( <del>(\$252,000)</del> )	
	\$548,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(<del>(\$509,000)</del>)</b>
	\$805,000

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

(1) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the commission to engage a contractor to conduct a detailed analysis of the achievement gap for Asian American students; recommend a comprehensive plan for closing the achievement gap pursuant to goals under the federal no child left behind act for all groups of students to meet academic standards by 2014; and identify performance measures to monitor adequate yearly progress. The contractor shall conduct the analysis starting with the call to action paper by the multi-ethnic think tank and as guided by the former members of the Asian Pacific Islander American think tank and other appropriate groups. The contractor shall submit a study update by September 15, 2008, and submit a final report by December 30, 2008, to the governor, the superintendent of public instruction, the state board of education, the P-20 council, the

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basic education finance task force, and the education committees of the legislature.

(2) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the commission to engage a contractor to conduct a detailed analysis of the achievement gap for Pacific Islander American students; recommend a comprehensive plan for closing the achievement gap pursuant to goals under the federal no child left behind act for all groups of students to meet academic standards by 2014; and identify performance measures to monitor adequate yearly progress. The contractor shall conduct the analysis starting with the call to action paper by the multi-ethnic think tank and as guided by the former members of the Asian Pacific Islander American think tank and other appropriate groups. The contractor shall submit a study update by September 15, 2008, and submit a final report by December 30, 2008, to the governor, the superintendent of public instruction, the state board of education, the P-20 council, the basic education finance task force, and the education committees of the legislature.

Sec. 120. 2007 c 522 s 122 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

State Treasurer's Service Account--State Appropriation . . . . . (((\$15,687,000)) \$15,539,000

The appropriation in this section is subject to the following conditions and limitations: \$183,000 of the state treasurer's service account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1512 (linked deposit program). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

Sec. 121. 2007 c 522 s 123 (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund--State Appropriation (FY 2008) . . . . . \$794,000
General Fund--State Appropriation (FY 2009) . . . (((\$829,000)) \$806,000

State Auditing Services Revolving Account--State Appropriation . . . . . (((\$15,188,000)) \$15,312,000

TOTAL APPROPRIATION . . . (((\$16,811,000)) \$16,912,000

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

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

(2) \$752,000 of the general fund--state appropriation for fiscal year 2008 and \$762,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

(3) \$1,000 of the appropriation from the auditing services revolving account--state is provided solely for an adjustment to the agency lease rate for space occupied and parking in the Tacoma Rhodes Center. The department of general administration shall increase lease rates to meet the cash

gain/loss break-even point for the Tacoma Rhodes Center effective July 1, 2007.

(4) \$313,000 of the auditing services revolving account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6776 (whistleblower protections). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 122. 2007 c 522 s 124 (uncodified) is amended to read as follows:

FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund--State Appropriation (FY 2008) . . . . . \$159,000
General Fund--State Appropriation (FY 2009) . . . (((\$229,000)) \$225,000
TOTAL APPROPRIATION . . . (((\$388,000)) \$384,000

Sec. 123. 2007 c 522 s 125 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund--State Appropriation (FY 2008) . (((\$6,250,000)) \$6,262,000
General Fund--State Appropriation (FY 2009) . (((\$6,656,000)) \$6,973,000
General Fund--Federal Appropriation . . . . . (((\$3,951,000)) \$3,960,000

Public Safety and Education Account--State Appropriation (FY 2008) . . . . . \$1,143,000
Public Safety and Education Account--State Appropriation (FY 2009) . . . . . (((\$1,199,000)) \$1,228,000

New Motor Vehicle Arbitration Account--State Appropriation . . . . . (((\$1,323,000)) \$1,312,000

Legal Services Revolving Account--State Appropriation . . . . . (((\$224,635,000)) \$229,849,000

Tobacco Prevention and Control Account--State Appropriation . . . . . \$270,000

TOTAL APPROPRIATION (((\$245,427,000)) \$250,997,000

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

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year.

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

(3) \$9,446,000 of the legal services revolving account--state appropriation is provided solely for increases in salaries and benefits of assistant attorneys general effective July 1, 2007. This funding is provided solely for increases to address critical recruitment and retention problems, and shall not be used for the performance management program or to fund general administration. The attorney general shall report to the office of financial management and the fiscal committees of the senate and house of representatives by October 1, 2008, and provide detailed demographic information regarding assistant attorneys general who received increased salaries and benefits as a result of the appropriation. The report shall include at a minimum information regarding the years of service, division assignment

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within the attorney general's office, and client agencies represented by assistant attorneys general receiving increased salaries and benefits as a result of the amount provided in this subsection. The report shall include a proposed salary schedule for all assistant attorneys general using the same factors used to determine increased salaries under this section. The report shall also provide initial findings regarding the effect of the increases on recruitment and retention of assistant attorneys general.

(4) \$69,000 of the legal services revolving fund--state appropriation is provided solely for Engrossed Substitute Senate Bill No. 6001 (climate change). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(5) \$44,000 of the legal services revolving fund--state appropriation is provided solely for Substitute Senate Bill No. 5972 (surface mining reclamation). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(6) \$170,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2479 (wireless number disclosure). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(7) \$110,000 of the legal services revolving account--state appropriation is provided solely for implementation of Second Substitute House Bill No. 3274 (port district contracting). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(8) \$346,000 of the legal services revolving account--state appropriation is provided solely for implementation of sections 2 and 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term well-being). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(9) \$492,000 of the legal services revolving account--state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6732 (construction industry). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(10) The agency shall submit a staffing model that supports the need for increased resources due to casework associated with the sexually violent predator population to the office of financial management and the fiscal committees of the legislature by October 31, 2008.

(11) The attorney general shall deposit to the health services account at least \$680,000 from the *cy pres* monetary portion of the consent decree in settlement of the consumer protection act litigation against Caremark Rx, LLC (King county superior court cause no. 08-2- 06098-5). These moneys shall be expended pursuant to legislative appropriation consistent with the terms of the consent decree.

(12) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the attorney general to review the implementation of Substitute Senate Bill No. 6385 (real property). At a minimum, the attorney general shall collect data related to the number of actions filed and their disposition. The office shall report its findings and any recommendations for statutory changes to the appropriate committees of the legislature by December 1, 2008. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 124. 2007 c 522 s 126 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund--State Appropriation (FY 2008) . . .	<del>(\$756,000)</del>
	\$815,000
General Fund--State Appropriation (FY 2009) . . .	<del>(\$781,000)</del>
	\$793,000
TOTAL APPROPRIATION . . .	<del>(\$1,537,000)</del>
	\$1,608,000

Sec. 125. 2007 c 522 s 127 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

General Fund--State Appropriation (FY 2008)	<del>(\$66,652,000)</del>
	\$63,420,000
General Fund--State Appropriation (FY 2009)	<del>(\$67,867,000)</del>
	\$73,998,000
General Fund--Federal Appropriation . . . . .	<del>(\$251,537,000)</del>
	\$252,994,000
General Fund--Private/Local Appropriation . . .	<del>(\$14,680,000)</del>
	\$14,657,000
Public Safety and Education Account--State	
Appropriation (FY 2008) . . . . .	\$2,775,000
Public Safety and Education Account--State	
Appropriation (FY 2009) . . . . .	<del>(\$2,735,000)</del>
	\$3,750,000
Public Works Assistance Account--State	
Appropriation . . . . .	<del>(\$2,977,000)</del>
	\$2,956,000
Tourism Promotion and Development Account--State	
Appropriation . . . . .	\$1,000,000
Drinking Water Assistance Administrative Account--	
State Appropriation . . . . .	<del>(\$415,000)</del>
	\$405,000
Lead Paint Account--State Appropriation . . . . .	<del>(\$6,000)</del>
	\$18,000
Building Code Council Account--State Appropriation	
. . . . .	<del>(\$1,180,000)</del>
	\$1,211,000
Low-Income Weatherization Assistance Account--State	
Appropriation . . . . .	<del>(\$8,385,000)</del>
	\$8,381,000
Violence Reduction and Drug Enforcement Account--	
State Appropriation (FY 2008) . . . . .	\$3,644,000
Violence Reduction and Drug Enforcement Account--	
State Appropriation (FY 2009) . . . . .	<del>(\$8,660,000)</del>
	\$3,650,000
Community and Economic Development Fee Account--State	
Appropriation . . . . .	<del>(\$1,840,000)</del>
	\$1,837,000
Washington Housing Trust Account--State	
Appropriation . . . . .	<del>(\$32,327,000)</del>
	\$26,777,000
<del>(Homeless Families Service Account--State</del>	
<del>    Appropriation . . . . .</del>	<del>-\$300,000)</del>
Public Facility Construction Loan Revolving	
Account--State Appropriation . . . . .	<del>(\$635,000)</del>
	\$630,000
Affordable Housing Account--State Appropriation	
. . . . .	<del>(\$15,200,000)</del>
	\$14,650,000
Community Preservation and Development Authority	
Account--State Appropriation . . . . .	\$350,000
Home Security Fund Account--State Appropriation	
. . . . .	<del>(\$16,200,000)</del>
	\$16,700,000
Independent Youth Housing Account--State Appropriation	
. . . . .	\$1,000,000
Administrative Contingency Account--State Appropriation	
. . . . .	\$1,800,000
Manufacturing Innovation and Modernization Account--	
State Appropriation . . . . .	\$306,000
TOTAL APPROPRIATION	<del>(\$495,365,000)</del>
	\$496,909,000

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

(1) \$2,838,000 of the general fund--state appropriation for fiscal year 2008 and \$2,838,000 of the general fund--state

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appropriation for fiscal year 2009 are provided solely for a contract with the Washington technology center for work essential to the mission of the Washington technology center and conducted in partnership with universities. The center shall not pay any increased indirect rate nor increases in other indirect charges above the absolute amount paid during the 1995-97 fiscal biennium.

(2) \$1,658,000 of the general fund--state appropriation for fiscal year 2008 and \$1,658,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for multijurisdictional drug task forces.

(3) \$1,500,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to fund domestic violence legal advocacy.

(4) Repayments of outstanding loans granted under RCW 43.63A.600, the mortgage and rental assistance program, shall be remitted to the department, including any current revolving account balances. The department shall ~~((contract with a lender or contract collection agent to act as a collection agent of the state. The lender or contract collection agent shall collect payments on outstanding loans, and deposit them into an interest-bearing account. The funds collected shall be remitted to the department quarterly. Interest earned in the account may be retained by the lender or contract collection agent, and shall be considered a fee for processing payments on behalf of the state. Repayments of loans granted under this chapter shall be made to the lender or contract collection agent as long as the loan is outstanding, notwithstanding the repeal of the chapter))~~ collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(5) \$145,000 of the general fund--state appropriation for fiscal year 2008 and \$144,000 of the general fund--state appropriation for fiscal year 2009 are provided to support a task force on human trafficking.

(6) \$2,500,000 of the general fund--state appropriation for fiscal year 2008 and \$2,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for Second Substitute Senate Bill No. 5092 (associate development organizations). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(7) \$1,500,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the community services block grant program.

(8) \$70,000 of the general fund--state appropriation for fiscal year 2008 and \$65,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the department to implement the innovation partnership zone program.

(a) The director shall designate innovation partnership zones on the basis of the following criteria:

(i) Innovation partnership zones must have three types of institutions operating within their boundaries, or show evidence of planning and local partnerships that will lead to dense concentrations of these institutions:

(A) Research capacity in the form of a university or community college fostering commercially valuable research, nonprofit institutions creating commercially applicable innovations, or a national laboratory;

(B) Dense proximity of globally competitive firms in a research-based industry or industries or of individual firms with innovation strategies linked to (a)(i) of this subsection. A globally competitive firm may be signified through international organization for standardization 9000 or 1400 certification, or other recognized evidence of international success; and

(C) Training capacity either within the zone or readily accessible to the zone. The training capacity requirement may be met by the same institution as the research capacity

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requirement, to the extent both are associated with an educational institution in the proposed zone;

(ii) The support of a local jurisdiction, a research institution, an educational institution, an industry or cluster association, a workforce development council, and an associate development organization, port, or chamber of commerce;

(iii) Identifiable boundaries for the zone within which the applicant will concentrate efforts to connect innovative researchers, entrepreneurs, investors, industry associations or clusters, and training providers. The geographic area defined should lend itself to a distinct identity and have the capacity to accommodate firm growth;

(iv) The innovation partnership zone shall designate a zone administrator, which must be an economic development council, port, workforce development council, city, or county.

(b) By October 1, 2007, and October 1, 2008, the director shall designate innovation partnership zones on the basis of applications that meet the criteria in this subsection, estimated economic impact of the zone, and evidence of forward planning for the zone.

(c) If the innovation partnership zone meets the other requirements of the fund sources, then the innovation partnership zone is encouraged to use the local infrastructure financing tool program, the sales and use tax for public facilities in rural counties, the job skills program and other state and local resources to promote zone development.

(d) The department shall convene at least one information sharing event for innovation partnership zone administrators and other interested parties.

(e) An innovation partnership zone shall provide performance measures as required by the director, including but not limited to private investment measures, job creation measures, and measures of innovation such as licensing of ideas in research institutions, patents, or other recognized measures of innovation.

(9) \$430,000 of the general fund--state appropriation for fiscal year 2008 and ~~(((\$1,935,000))~~ \$2,200,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the economic development commission to work with the higher education coordinating board and research institutions to:

(a) Develop a plan for recruitment of ten significant entrepreneurial researchers over the next ten years to lead innovation research teams, which plan shall be implemented by the higher education coordinating board; and (b) develop comprehensive entrepreneurial programs at research institutions to accelerate the commercialization process.

(10) \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant to the cascade land conservancy to develop and demonstrate one or more transfer of development rights programs. These programs shall involve the purchase or lease of development rights or conservation easements from family forest landowners facing pressure to convert their lands and who desire to keep their land in active forest management. The grant shall require the conservancy to work in collaboration with family forest landowners and affected local governments, and to submit an interim written progress report to the department by September 15, 2008, and a final report by June 30, 2009. The department shall transmit the reports to the governor and the appropriate committees of the legislature.

(11) \$155,000 of the general fund--state appropriation for fiscal year 2008 and \$150,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for Engrossed Second Substitute House Bill No. 1422 (addressing children and families of incarcerated parents). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(12) \$180,000 of the general fund--state appropriation for fiscal year 2008 and ~~(((\$180,000))~~ \$430,000 of the general fund--state appropriation for fiscal year 2009 are provided solely

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for KCTS public television to support programming in the Spanish language. These funds are intended to support the addition of a bilingual outreach coordinator to serve Latino adults, families and children in western and central Washington; multimedia promotion on Spanish-language media and website integration; the production of targeted public affairs programs that seek to improve education and the quality of life for Latinos; and to establish partnerships with city and county library systems to provide alternative access to the v-me Spanish language channel via the internet.

(13) \$1,000,000 of the tourism and promotion account--state appropriation is provided for Substitute House Bill No. 1276 (creating a public/private tourism partnership). Of this amount, \$280,000 is for the department of fish and wildlife's nature tourism infrastructure program; \$450,000 is for marketing the 2010 Olympic games; and \$50,000 is for the Washington state games.

~~((+5))~~ (14) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the African chamber of commerce of the Pacific Northwest to support the formation of trade alliances between Washington businesses and African businesses and governments.

~~((+6))~~ (15) \$750,000 of the general fund--state appropriation for fiscal year 2008 and \$750,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the emergency food assistance program.

~~((+7))~~ \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the department's individual development account program.

~~((+8))~~ (16) \$80,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the energy facility site evaluation council to contract for a review of the status of pipeline utility corridor capacity and distribution for natural gas, petroleum and biofuels in southwest Washington. The council shall submit its findings and recommendations to the legislature by December 1, 2007.

~~((+9))~~ (17) ~~(\$1,813,000)~~ \$513,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$1,813,000)~~ \$2,463,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a pilot program to provide transitional housing assistance to offenders who are reentering the community and are in need of housing as generally described in Engrossed Substitute Senate Bill No. 6157 (offender recidivism). The department shall operate the program through grants to eligible organizations as described in RCW 43.185.060. A minimum of two programs shall be established in two counties in which community justice centers are located. The pilot programs shall be selected through a request for proposal process in consultation with the department of corrections. The department shall select the pilot sites by January 1, 2008.

(a) The pilot program shall:

(i) Be operated in collaboration with the community justice center existing in the location of the pilot site;

(ii) Offer transitional supportive housing that includes individual support and mentoring available on an ongoing basis, life skills training, and close working relationships with community justice centers and community corrections officers. Supportive housing services can be provided directly by the housing operator, or in partnership with community-based organizations;

(iii) In providing assistance, give priority to offenders who are designated as high risk or high needs as well as those determined not to have a viable release plan by the department of corrections; and

(iv) Provide housing assistance for a period of up to twelve months for a participating offender.

(b) The department may also use up to twenty percent of the funds in this subsection to support the development of

additional supportive housing resources for offenders who are reentering the community.

(c) The department shall collaborate with the department of corrections in the design of the program and development of criteria to determine who will qualify for housing assistance, and shall report to the legislature by November 1, 2008, on the number of offenders seeking housing, the number of offenders eligible for housing, the number of offenders who receive the housing, and the number of offenders who commit new crimes while residing in the housing.

~~((+20))~~ (18) \$288,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for community transition coordination networks and county service inventories as generally described in Engrossed Substitute Senate Bill No. 6157 (offender recidivism). Funds are provided for: (a) Grants to counties to inventory services and resources available to assist offenders reentering the community; (b) a grant to the Washington institute for public policy to develop criteria for conducting the inventory; and (c) the department of community, trade, and economic development to assist with the inventory and implement a community transition coordination network pilot program.

~~((+21))~~ ~~\$75,000~~ (19) \$150,000 of the general fund--state appropriation for fiscal year 2008 ~~(and \$75,000 of the general fund--state appropriation for fiscal year 2009 are)~~ is provided solely for a grant to the center for advanced manufacturing to assist domestic businesses to compete globally.

~~((+22))~~ (20) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant to the developmental disabilities council to contract for legal services for individuals with developmental disabilities entering or currently residing in the department of social and health services division of developmental disabilities community protection program.

~~((+23))~~ (21) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant to Safe Havens to provide supervised visitation for families affected by domestic violence and abuse.

~~((+24))~~ (22) \$408,000 of the general fund--state appropriation for fiscal year 2008 and \$623,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for grants to county juvenile courts to expand the number of participants in juvenile drug courts consistent with the conclusions of the Washington state institute for public policy evaluation of effective programs to reduce future prison populations.

~~((+25))~~ (23) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Second Substitute Senate Bill No. 5652 (microenterprise development), including grants to microenterprise organizations for organizational capacity building and provision of training and technical assistance. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((+26))~~ (24) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to ~~(establish the state economic development commission as an independent state agency consistent with)~~ implement Second Substitute Senate Bill No. 5995 (economic development commission). ~~(If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.)~~

~~((+27))~~ (25) \$150,000 of the general fund--state appropriation for fiscal year 2008 and \$150,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support international trade fairs.

~~((+28))~~ (26) \$50,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for a study

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to survey best practices for smart meters/smart grid/smart appliance technology and the range of applications for smart meters around the country. The survey shall include, but is not limited to, utilities using smart meters to: (a) Meter responses to time-of-use pricing, (b) meter savings from direct load control programs, (c) manage operations costs, (d) identify power outages, (e) meter voluntary interruptible power programs, (f) facilitate pay-as-you-go programs, and (g) enhance billing operations. The study will compare the survey results with Washington's electric utility power system including considerations of electricity price variations between peak and off-peak prices, seasonal price variations, forecast demand, conservation goals, seasonal or daily distribution or transmission constraints, etc., to identify the applications where smart meters may provide particular value to either individual consumers, individual Washington electric utility power systems, or the overall electric power grid in Washington, and to meeting state conservation and energy goals. The department shall complete the study and provide a report to the governor and the legislature by December 1, 2007.

~~((30)) (27)(a) \$500,000 of the general fund--state appropriation for fiscal year (2008 is provided for a pilot program to provide assistance for three jurisdictions to enforce financial fraud and identity theft laws. Three pilot enforcement areas shall be established on January 1, 2008, two in the two largest counties by population west of the crest of the Cascade mountains and one in the largest county by population east of the crest of the Cascade mountains. Funding received for the purpose of this subsection through appropriations, gifts, and grants shall be divided equally between the three pilot enforcement areas. This funding is intended to provide for additional deputy prosecutors, law enforcement, clerical staff, and other support for the prosecution of financial fraud and identity theft crimes. The funding shall not be used to supplant existing funding and cannot be used for any purpose other than enforcement of financial fraud and identity theft laws. Appropriated state funds must be used to match gifts and grants of private-sector funds for the purposes of this subsection, and expenditure of appropriated state funds may not exceed expenditure of private funds.~~

~~(b) The department shall appoint a task force in each county with a pilot enforcement area. Each task force shall include the following members:~~

- ~~(i) Two members from financial institutions;~~
- ~~(ii) One member of the Washington association of county prosecutors;~~
- ~~(iii) One member of the Washington association of sheriffs and police chiefs;~~
- ~~(iv) One member of the Washington state association of municipal attorneys; and~~
- ~~(v) One law enforcement officer.~~

~~(c) The task force in each county shall provide advice and expertise in order to facilitate the prosecutor's efforts to prosecute and reduce the incidence of financial fraud and identity theft crimes, including check fraud, chronic unlawful issuance of bank checks, embezzlement, credit/debit card fraud, identity theft, forgery, counterfeit instruments, organized counterfeit check rings, and organized identity theft rings)) 2009 is provided solely for the implementation of Second Substitute Senate Bill No. 1273 (financial fraud). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.~~

~~((31)) (28) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$125,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant to Grays Harbor county for activities associated with southwest Washington coastal erosion investigations and demonstrations.~~

~~((32)) (29) \$112,000 of the general fund--state appropriation for fiscal year 2008 and \$113,000 of the general~~

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fund--state appropriation for fiscal year 2009 are provided solely for a grant to the retired senior volunteer program.

~~((33)) (30) \$200,000 of the general fund--state appropriation for fiscal year 2008 and \$200,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant to the Benton and Franklin county juvenile and drug courts. The grant is contingent upon the counties providing equivalent matching funds.~~

~~((34)) (31) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant to the Seattle aquarium for a scholarship program for transportation and admission costs for classrooms with lower incomes, English as second language or special needs.~~

~~((35)) (32) \$256,000 of the general fund--state appropriation for fiscal year 2008 and \$256,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the long-term care ombudsman program.~~

~~((36)) (33) \$425,000 of the general fund--state appropriation for fiscal year 2008 and \$425,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the Washington state association of counties for the county training program.~~

~~((37)) (34) \$495,000 of the general fund--state appropriation for fiscal year 2008 and \$495,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the northwest agriculture business center.~~

~~((38)) (35) ((\$200,000)) \$40,000 of the general fund appropriation for fiscal year 2008 ((is)) and \$160,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a program to build capacity and promote the development of nonprofit community land trust organizations in the state. Funds shall be granted through a competitive process to community land trusts with assets under one million dollars, and these funds shall be used for operating costs, technical assistance, and other eligible capacity building expenses to be determined by the department.~~

~~((39)) (36) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to centro latino to provide adult basic education that includes but is not limited to: English as a second language, Spanish literacy training, work-readiness training, citizenship classes, programs to promote school readiness, community education, and entrepreneurial services.~~

~~((40)) (37) \$500,000 of the general fund--state appropriation for fiscal year 2008 and ((\$500,000)) \$800,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that all citizens have access to a low-cost resolution process as an alternative to litigation. Of the fiscal year 2009 funding, \$300,000 is to assist the centers in providing mediation services for parties with parenting plan disputes who either (a) are currently involved in dissolution proceedings or (b) completed a dissolution within the past year. The funding provided by this subsection does not constitute state funding to counties for the purposes of RCW 26.09.015(2)(b).~~

~~((41)) (38) \$2,000,000 of the general fund--state appropriation for fiscal year 2008 and \$2,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Second Substitute House Bill No. 1303 (cleaner energy). Of these amounts, \$487,000 of the general fund--state appropriation for fiscal year 2008 is provided solely as pass-through funding to the department of ecology to conduct the climate advisory team stakeholder process and related staffing, analysis, and public outreach costs. The department shall retain ~~(\$1,500,000))~~ \$1,013,000 for expenditures related to the operations of the energy freedom authority, and the support of the vehicle workgroup and the carbon market~~

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stakeholder workgroup and any other activities required of the department by the bill. The department shall enter into interagency agreements with other agencies to implement the bill in the following amounts: (a) \$1,500,000 shall be provided to the climate impacts group at the University of Washington for climate assessments; (b) \$200,000 shall be provided to the University of Washington college of forest resources for identification of barriers to using the state's forest resources for fuel production; and (c) \$800,000 shall be provided to the Washington State University for analyzing options for market incentives to encourage biofuels production. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((42))~~ (39) \$347,000 of the general fund--state appropriation for fiscal year 2008 and \$348,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to Western Washington University to support small business development centers and underserved economic development councils with secondary research services. Of the amounts in this subsection, \$500,000 is intended for research services and shall be divided evenly between 25-50 small business development centers and underserved economic development councils and \$195,000 shall be used to develop infrastructure, training programs, and marketing materials.

~~((43))~~ (40) \$100,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for a study on improving the effectiveness of the growth management act. Topics may include but are not limited to: How best to meet and finance infrastructure and service needs of growing communities; how to provide incentives to accommodate projected growth and protect resource lands and critical areas; and how local governments are prepared to address land use changes associated with climate change.

~~((44))~~ (41) \$75,000 of the general fund--state appropriation for fiscal year 2008 and ~~((75,000))~~ \$175,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the Poulsbo marine science center.

~~((45))~~ (42) \$1,625,000 of the general fund--state appropriation for fiscal year 2008 and \$1,625,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operating and capital equipment and facility grants to the following public television and radio stations: KPBX/KSFC, \$863,525; KPLU, \$733,525; KVTI, \$108,550; KDNA, \$29,205; KSER, \$338,325; KNHC, \$146,620; KSPS, \$568,750; and KBTC, \$461,500.

~~((46))~~ (43) \$200,000 of the general fund--state appropriation for fiscal year 2008 and \$200,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the safe and drug free schools and communities program.

~~((47))~~ (44) \$102,000 of the general fund--state appropriation for fiscal year 2008 and \$103,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the University of Washington's college of forest resources center for international trade in forest products.

~~((48))~~ (45) \$471,000 of the general fund--state appropriation for fiscal year 2008 and \$471,000 of the general fund--state appropriation for fiscal year 2009 are provided solely as pass-through funding to Walla Walla community college for its water and environmental center.

~~((49))~~ (46) \$65,000 of the general fund--state appropriation for fiscal year 2008 and \$65,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a contract with a food distribution program for communities in the southwestern portion of the state and for workers impacted by timber and salmon fishing closures and reductions. The department may not charge administrative overhead or expenses to the funds provided in this subsection.

~~((50))~~ (47)(a) \$200,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for a study to examine the fiscal health of counties. The study shall address spending and revenues, as well as the demographic, geographic,

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social, economic, and other factors contributing to or causing financial distress. The study shall also examine the financial efficiencies, cost savings, and improved levels of service that may be gained by authorizing noncharter counties greater flexibility in altering their forms of governance, including consolidating or merging constitutional or statutory functions or structures.

(b) The department of community, trade, and economic development may contract or consult with any agency, organization, or other public or private entity as it deems necessary in order to complete the study required under this section. The study may contain options and actions for consideration by the governor and the legislature, but at minimum shall recommend the changes to constitutional and statutory law necessary to provide counties with the legal authority required to implement the changes in governmental structures and functions needed to promote optimum financial efficiency and improved services. The study shall be transmitted to the appropriate committees of the legislature and the governor by December 1, 2007.

~~((51))~~ (48) \$2,136,000 of the general fund--state appropriation for fiscal year 2008 and \$2,136,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation and expense of the "closing the achievement gap-flight program" of the Seattle public schools during the 2007-09 biennium. The funds will be used in support of a collaboration model between the Seattle public schools and the community. The primary intent for this program is to close the academic achievement gap for students of color and students in poverty by promoting parent and family involvement and enhancing the social-emotional and the academic support for students. By June 30, 2009, the Seattle public schools will provide and evaluation of the impact of the activities funded on class size, graduation rates, student attendance, student achievement, and closing the achievement gap.

~~((52))~~ (49) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 ~~((and))~~ \$1,000,000 of the general fund--state appropriation for fiscal year 2009, and \$200,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely for crime victim service centers.

~~((53))~~ (50) \$41,000 of the general fund--state appropriation for fiscal year 2008 and \$36,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for House Bill No. 1038 (electric transmission lines). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

~~((54))~~ (51) \$1,000,000 of the independent youth housing account is provided for Second Substitute House Bill No. 1922 (youth housing program). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

~~((55))~~ (52) \$227,000 of the general fund--state appropriation for fiscal year 2008 and \$127,000 of the general fund--state appropriation for fiscal year ~~((2008))~~ 2009 are provided solely for Second Substitute House Bill No. 1636 (development rights). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((56))~~ (53) \$35,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for Substitute House Bill No. 1037 (electrical transmission). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

~~((57))~~ (54) \$131,000 of the general fund--state appropriation for fiscal year 2008 ~~((and \$62,000 of the general fund--state appropriation for fiscal year 2009 are))~~ is provided solely for Engrossed Second Substitute House Bill No. 1705 (health sciences and services). ~~((If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.))~~

~~((58))~~ (55) \$881,000 of the general fund--state appropriation for fiscal year 2008 and \$882,000 of the general fund--state

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appropriation for fiscal year 2009 are provided solely for the department to: (a) Work with a statewide asset building coalition to design, implement, and fund a public education and outreach campaign; and (b) initiate, expand, and strengthen community-based asset building coalitions by providing them with technical assistance and grants. The department shall conduct an application process and select at least twelve sites by October 31, 2007. Of the amounts provided in this subsection, no more than 10 percent may be used by the department to administer the technical assistance and grant program. The department shall report to the appropriate committees of the legislature on the status of the grant and technical assistance program by December 1, 2008.

~~((59))~~ (56) \$15,200,000 of the affordable housing account--state appropriation and \$16,200,000 of the home security fund account--state appropriation are provided solely for Engrossed Second Substitute House Bill No. 1359 (affordable housing). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((60))~~ (57) \$350,000 of the community preservation and development authority account--state appropriation is provided solely for Substitute Senate Bill No. 6156 (development authorities). If this bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(58) \$600,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for distribution to community sexual assault programs by the office of crime victims advocacy for the purpose of enhancing services provided to child victims of sexual abuse and their families. Enhanced services may include expanded hours of medical and legal advocacy, expanded hours of therapy for the child victim, increased support to nonoffending family members, and the development of a standardized child-centered approach to service delivery.

(59) \$750,000 of the public safety and education account--state appropriation for fiscal year 2009 is provided solely to the office of crime victims advocacy. These funds shall be contracted with the 39 county prosecuting attorneys' offices to support victim-witness services. The funds must be prioritized to ensure a full-time victim-witness coordinator in each county. The office may retain only the amount currently allocated for this activity for administrative costs.

(60) \$75,000 of the public safety and education account appropriation for fiscal year 2009 is provided solely for the update of statewide sexual assault victim assistance protocols through a coordinated effort led by the Washington coalition of sexual assault programs.

(61) \$2,500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the transitional housing operating and rent program.

(62) \$500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Airway Heights wastewater treatment plant and is contingent upon a capacity agreement with the Kalispel tribe that precludes the need to build multiple wastewater treatment facilities on the West Plains.

(63) \$344,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington New Americans program to provide naturalization assistance for legal permanent residents who are eligible to become citizens. The department shall conduct a competitive process to contract with an entity to provide this assistance, which shall include, but is not limited to: Curriculum design, counseling, outreach to immigrant communities, application processing and legal screening, and citizenship preparation services. The state funding is contingent upon receipt, by the contractor(s) of at least a twenty-five percent match of nonstate funding. The department and the contractor(s) shall develop performance measures for the program and within sixty days of the close of each fiscal year for which state funding is provided, shall report to the governor and the legislature on the outcome of the program and the performance measures. The department may

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retain up to five percent of the funds provided in this subsection to administer the competitive process and the contract. It is the intent of the legislature that \$2,000,000 be provided in the 2009-11 fiscal biennium to conclude this program.

(64) \$40,000 of the general fund--state appropriation for fiscal year 2008 and \$40,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for distribution to the Island county associate development organization and is contingent upon the enactment of, and provides specific funding for, Substitute Senate Bill No. 6195 (definition of rural county for economic development purposes). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(65) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of sections 1 through 7 of Engrossed Second Substitute Senate Bill No. 6111 (tidal and wave energy). If these sections of this bill are not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(66) \$41,000 of the building code council account--state appropriation is provided solely for implementation of Substitute House Bill No. 2575 (fire sprinkler systems). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(67) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2712 (criminal street gangs). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(68) \$207,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2815 (greenhouse gas emissions). The amount provided in this subsection includes \$50,000 for the analysis under section 9(3)(b) of the bill. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(69) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute House Bill No. 3120 (construction tax incentive). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(70) \$350,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Second Substitute Senate Bill No. 6483 (local farms and healthy kids). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(71) \$134,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Engrossed Second Substitute House Bill No. 2844 (urban forestry). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(72) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a grant to the Lucy Lopez center for "the good citizen" bilingual radio programming pilot project.

(73) \$400,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a grant to the Pacific science center to support the "Lucy of Laetoli" exhibit.

(74) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a grant to the local organizing committee of 2008 Skate America to support the international skating union grand prix series at the Everett events center in October, 2008.

(75) \$225,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for development of the Lewis county watershed planning and economic development demonstration project. The purpose of the project is to identify lands and resources suitable for economic development within Lewis county and outside of the floodplains of Chehalis and Cowlitz river watersheds. It is the intent of the legislature that



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\$725,000 to complete this project will be provided in the 2009-11 fiscal biennium.

(a) Of this amount, the department shall provide \$75,000 each to the department of fish and wildlife and the department of ecology to develop a watershed characterization and to conduct a local habitat assessment, develop recommendations, and provide technical assistance in support of a demonstration watershed planning and economic development project in Lewis county.

(b) \$75,000 of the amount provided in this subsection is provided solely for a grant to Lewis county to fund development of a subarea plan, consistent with the provisions of chapter 36.70A RCW, for rural economic development that is based on the watershed characterization and local habitat assessment funded in (a) of this subsection. The department may retain no more than thirty percent for grant administration and technical assistance.

(c) The subarea plan to be funded shall be developed by a broad-based local stakeholder group with state agency technical assistance, and shall include the following:

(i) Defined area or areas for future economic development outside the 100-year floodplain. Areas planned for economic development requiring urban levels of service must be designated on the land use map as an urban growth area consistent with RCW 36.70A.110;

(ii) Defined area or areas of designated agricultural, forestry, wildlife habitat, and other critical area lands;

(iii) Mechanisms to achieve long-term conservation of important aquatic and terrestrial resources in the subarea;

(iv) Defined mitigation and restoration areas;

(v) Identification of capital facility improvements needed to implement the plan, and a plan to finance such capital facilities within projected funding capacities;

(vi) Discussion of the relationship between the plan and other existing, adopted plans and regulations including but not limited to county and city comprehensive plans, as appropriate, critical areas and shoreline regulations, transportation, salmon recovery, watershed, and water resource inventory area plans;

(vii) A plan for monitoring and adaptive management; and

(viii) Adoption by the local government affected as an amendment to its comprehensive plan pursuant to chapter 36.70A RCW, after review and recommendations on the plan by a broad-based local stakeholder group.

(76) \$21,000 of the general fund--state appropriation for fiscal year 2008 and \$54,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to conduct a study of the provision of personal products (nonfoodstuffs) to low income residents of Washington. These items include, but are not limited to, hygiene products, cleaning supplies, and clothing. The study shall include: (a) An assessment of current services, including acquisition, donation, distribution, and delivery of personal products to those in need; (b) compilation of information of similar programs in other states; (c) identification and evaluation of options for improving efficiency of current services and expansion of programs to those not currently served; and (d) recommendations for consideration in the 2009-11 fiscal biennium. The department shall assemble an advisory group to guide the conduct of the study. The department shall provide a report of the study findings to the governor and the appropriate committees of the legislature by December 15, 2008.

(77) \$306,000 of the manufacturing innovation and modernization account--state appropriation is provided solely to implement Substitute Senate Bill No. 6510 (manufacturing extension services). \$75,000 of this amount shall be to develop a rural manufacturer export outreach program in collaboration with the small business export finance assistance center and to contract with the center to provide outreach services to rural manufacturing businesses in Washington to inform them of the importance of, and opportunities in, international trade and to inform them of the export assistance programs available to assist

these businesses to become exporters. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(78) \$120,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the regional visitor/media pavilion at the 2010 Olympic games in Vancouver, British Columbia.

(79) \$200,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a grant to HistoryLink to develop Alaska-Yukon-Pacific exposition commemoration exhibits and programs.

(80) \$126,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed House Bill No. 3142 (rapid response loan program). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(81) \$100,000 of the prostitution prevention and intervention account--nonappropriated is for distribution as grants by the office of crime victims advocacy. The grants shall be prioritized to law enforcement training including law enforcement training regarding the availability of services for minors under chapter 13.32A RCW, community outreach and education and treatment and services to address the problems of minors who have a history of engaging in sexual conduct for a fee or who are victims of commercial sexual abuse of a minor or both, including but not limited to mental health and chemical dependency services, parenting services, housing assistance, education and vocational training, or intensive case management services.

(82) \$5,000 of the general fund--state appropriation for fiscal year 2008 and \$20,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant for tourism promotion in Keystone.

(83) \$5,000 of the general fund--state appropriation for fiscal year 2008 and \$20,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant for tourism promotion in Port Townsend.

(84) \$126,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement sections 1 through 13, 43, and 44 of Engrossed Substitute Senate Bill No. 5959 (transitional housing). If these sections of this bill are not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(85) \$317,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement Engrossed Substitute Senate Bill No. 6580 (climate change), including sections 2 and 3 of the bill. If the bill and sections 2 and 3 are not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 126. 2007 c 522 s 128 (uncodified) is amended to read as follows:

**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund--State Appropriation (FY 2008) . . .	<del>(\$608,000)</del>
	\$726,000
General Fund--State Appropriation (FY 2009) . . .	<del>(\$631,000)</del>
	\$827,000
TOTAL APPROPRIATION . . .	<del>(\$1,239,000)</del>
	\$1,553,000

The appropriations in this section are subject to the following conditions and limitations: The economic and revenue forecast council, in its quarterly revenue forecasts, shall forecast the total revenue for the state general fund and near general fund, as those funds are determined by the legislative evaluation and accountability program committee.

Sec. 127. 2007 c 522 s 129 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

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General Fund--State Appropriation (FY 2008)	<del>(\$24,175,000)</del>
	\$24,110,000
General Fund--State Appropriation (FY 2009)	<del>(\$23,323,000)</del>
	\$35,290,000
General Fund--Federal Appropriation . . . . .	<del>(\$23,588,000)</del>
	\$23,934,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$1,270,000)</del>
	\$1,269,000
State Auditing Services Revolving Account--State Appropriation . . . . .	\$25,000
Violence Reduction and Drug Enforcement Account-- State Appropriation (FY 2008) . . . . .	\$123,000
Violence Reduction and Drug Enforcement Account-- State Appropriation (FY 2009) . . . . .	\$123,000
<u>Economic Development Strategic Reserve Account-- State Appropriation . . . . .</u>	<u>\$175,000</u>
TOTAL APPROPRIATION . . . . .	<del>(\$72,627,000)</del>
	\$85,049,000

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

(1) ~~(\$75,000)~~ \$33,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$75,000)~~ \$58,000 of the general fund--state appropriation for fiscal year 2009 are provided for a contract with the Ruckelshaus center to continue the agricultural pilot programs that identify projects to enhance farm income and improve natural resource protection. Specific work will include project outreach and refinement, stakeholder support, staffing the oversight committee, seeking federal and private match funding, and further refining the list of projects to be recommended for funding.

(2) ~~(\$175,000)~~ \$155,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$175,000)~~ \$254,000 of the general fund--state appropriation for fiscal year 2009 are provided for a contract with the Ruckelshaus center to fund "proof-of-concept" model and projects recommended by the oversight committee, as provided in subsection (1) of this section.

(3) \$580,000 of the general fund--state appropriation for fiscal year 2008 and \$580,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the association of Washington cities and the Washington state association of counties for improving project permitting and mitigation processes.

(4) \$320,000 of the general fund--state appropriation for fiscal year 2008 and \$320,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the office of regulatory assistance to develop statewide multiagency permits for transportation infrastructure and other projects that integrate local, state, and federal permit requirements and mitigation standards.

(5) \$1,050,000 of the general fund--state appropriation for fiscal year 2008 and \$1,050,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Second Substitute Senate Bill No. 5122 (regulatory assistance programs). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(6) ~~(\$165,000)~~ \$190,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$115,000)~~ \$90,000 of the general fund--state appropriation for fiscal year 2009 are provided solely ~~((for a study to develop))~~ to implement chapter 139, Laws of 2007 (student transportation funding) which requires development of two options for a new K-12 pupil transportation funding formula. ~~((The office of financial management shall contract with consultants with expertise in both pupil transportation and K-12 finance formulas. The office of financial management and the contractors shall consult with the legislative fiscal committees and the office of the superintendent of public instruction. The office of financial management shall submit a final report to the governor, the house of representatives appropriations committee, and senate ways and means committee by November 15, 2008.))~~

(7) \$175,000 of the general fund--state appropriation for fiscal year 2008 and \$175,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for financial assistance to local government agencies in counties representing populations of fewer than 350,000 residents for the acquisition and development of streamlined permitting technology infrastructure through an integrated business portal approach. Grant awards may not exceed \$100,000 per local government agency per fiscal year. The funding must be used to acquire and implement permit tracking systems that can support and are compatible with a multijurisdictional, integrated approach. Prior to granting funds, the office of regulatory assistance shall ensure that the proposed systems and technology are based on open-industry standards, allow for future integration of processes and sharing of data, and are extendable.

(8) ~~(\$810,000)~~ \$474,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$495,000)~~ \$831,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of sections 50 through 57 (health resources strategy) of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care). If the bill is not enacted by June 2007, the amounts provided in this subsection shall lapse.

(9) \$300,000 of the general fund--state appropriation for fiscal year 2008 and \$54,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement section 3 of Substitute Senate Bill No. 5248 (preserving the viability of agricultural lands). Funds are provided for a contract with the Ruckelshaus center to examine conflicts between agriculture activities and critical areas ordinances. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(10) The education data center within the office of financial management may convene a work group to assess the feasibility, costs, and benefits of a higher education data system that uses privacy-protected student-level data.

(11) Within the appropriations in this section, specific funding is provided to implement Engrossed Second Substitute House Bill No. 2631 (regulatory assistance office).

(12) The department shall track all expenditures and FTE utilization in state government related to work on Initiative Measure No. 960 requirements, and shall provide a report to the fiscal committees of the legislature by November 1, 2008.

(13) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the office of financial management to establish and provide staff support for the Washington citizens' work group on health care reform, pursuant to Engrossed Substitute Senate Bill No. 6333.

(14) \$11,372,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the development and implementation of the Washington assessment of student learning (WASL) and related activities and is in addition to the funding amounts provided in section 511 of this act. The funding provided in this subsection is subject to the following conditions and limitations: The office of financial management shall develop an interagency agreement with the office of the superintendent of public instruction for the expenditure of these funds based on a quarterly allotment schedule. Before releasing funds to the office of the superintendent of public instruction each quarter, the office of financial management shall ensure compliance with this subsection. Effective with the 2009 administration of the Washington assessment of student learning, while maintaining the reliability and validity of the assessment, the office of the superintendent of public instruction shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration, reducing the number of short answer and extended response questions, and potentially decreasing the number of items utilized in the assessment, particularly in grades tested under the requirements of the

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federal no child left behind act. In selecting and developing the new contractual obligations for the assessment contractor beginning in fiscal year 2009, the office of the superintendent of public instruction shall preserve legislative authority to set the student learning assessment policy and potentially make minor or significant changes to that policy in the future with the least amount of adverse fiscal and other impacts to the state as possible. In doing this, the office of the superintendent of public instruction shall advise and consult with the appropriate policy and fiscal committees of the legislature and the Washington assessment of student learning work group created in this subsection. Within the amounts appropriated in this subsection, a legislative work group on the Washington assessment of student learning is established. The work group will consist of a maximum of nine members. Legislative members shall be appointed by the president of the senate and the speaker of the house of representatives and shall represent the two largest caucuses of both the senate and the house of representatives. The purpose of this work group is to review and evaluate the current assessment system by January 1, 2009, and potentially make recommendations to improve it. Of the amount provided in this section, \$150,000 is provided solely for costs associated with hiring independent technical experts to advise the Washington assessment of student learning work group created in this subsection.

(15) Through prior legislation, many state activities that protect the general public by safeguarding health, safety, employees, and consumers are supported by fees assessed on items such as licensing, registration, certification, and inspections. Moreover, higher education, workforce training, and a number of other government services are supported at least in part by fees assessed on those who participate in these programs. Therefore, the office of financial management shall conduct a review and analysis of all fees for which the legislature has delegated to state agencies and institutions of higher education the ability to establish and determine the amount, either upon initial establishment or subsequent increases. Fees, as used in this subsection, has the same meaning as used in RCW 43.135.055. The objective of the review and analysis is to document the level of fees paid over the past five years, the cost of those programs over that same time period, and, to the extent available, the effectiveness of the activity in meeting its performance targets. The review and analysis shall include the following information:

(a) Information about the program, including the statutory authority for the program, date enacted, and the parties that benefit from the program; and

(b) Information about the program fees, including name and description of the fees, the parties that bear the cost of the fees, the methodology for determining the fees, and whether the fees directly fund the program; and

(c) Financial related information, including an assessment of the program's fee amount assessed over the past five years, the scope of the program and related costs over the past 5 years, and whether the program's expenditures are subject to appropriation or allotment procedures under chapter 43.88 RCW; and

(d) To the extent available, information on the program activities and related performance measures that may assist in assessing the effectiveness of the program in achieving its goals.

The office of financial management shall report its findings to the governor and the fiscal committees of the legislature by October 1, 2008.

Sec. 128. 2007 c 522 s 130 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account--State
Appropriation . . . . . ((\$33,037,000))
\$32,703,000

Sec. 129. 2007 c 522 s 131 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

General Fund--State Appropriation (FY 2008) . . . . . \$96,000
Department of Personnel Service Account--State
Appropriation . . . . . ((\$30,106,000))
\$23,618,000
Higher Education Personnel Services Account--State
Appropriation . . . . . ((\$1,794,000))
\$1,780,000
TOTAL APPROPRIATION . . . . . ((\$31,900,000))
\$25,494,000

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

Sec. 130. 2007 c 522 s 132 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account--State
Appropriation . . . . . ((\$26,382,000))
\$26,086,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section may not be expended by the Washington state lottery for any purpose associated with a lottery game offered through any interactive electronic device, including the internet.

Sec. 131. 2007 c 522 s 133 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund--State Appropriation (FY 2008) . . . . . \$261,000
General Fund--State Appropriation (FY 2009) . . . . . ((\$276,000))
\$422,000
TOTAL APPROPRIATION . . . . . ((\$537,000))
\$683,000

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the commission to engage a contractor to conduct a detailed analysis of the achievement gap for Hispanic students; recommend a comprehensive plan for closing the achievement gap pursuant to goals under the federal no child left behind act for all groups of students to meet academic standards by 2014; and identify performance measures to monitor adequate yearly progress. The contractor shall conduct the analysis starting with the call to action paper by the multi-ethnic think tank and as guided by the Latino/a educational achievement project and other appropriate groups. The contractor shall submit a study update by September 15, 2008, and submit a final report by December 30, 2008, to the governor, the superintendent of public instruction, the state board of education, the P-20 council, the basic education finance task force, and the education committees of the legislature.

Sec. 132. 2007 c 522 s 134 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

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General Fund--State Appropriation (FY 2008)	\$257,000
General Fund--State Appropriation (FY 2009)	... <del>(\$266,000)</del>
	\$262,000
TOTAL APPROPRIATION	... <del>(\$523,000)</del>
	\$519,000

Sec. 133. 2007 c 522 s 135 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS**

General Fund--State Appropriation (FY 2008)	.....	\$200,000
General Fund--State Appropriation (FY 2009)	.....	\$250,000
Dependent Care Administrative Account--State Appropriation	.....	<del>(\$448,000)</del>
		\$237,000
Department of Retirement Systems Expense Account--State Appropriation	.....	<del>(\$48,885,000)</del>
		\$48,556,000
TOTAL APPROPRIATION	.....	<del>(\$49,783,000)</del>
		\$49,243,000

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

(1) \$15,000 of the department of retirement systems expense account appropriation is provided solely to implement Substitute House Bill No. 1261 (duty disability service credit). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(2) \$43,000 of the department of retirement systems expense account appropriation is provided solely to implement House Bill No. 1680 (emergency medical technician service credit). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(3) \$72,000 of the department of retirement systems expense account appropriation is provided solely to implement Engrossed Substitute House Bill No. 1649 (judges' past service credit purchases). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(4) \$33,000 of the department of retirement systems expense account appropriation is provided solely to implement Substitute House Bill No. 1262 (plan 1 post retirement employment). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(5) \$315,000 of the department of retirement systems expense account appropriation is provided solely to implement Engrossed House Bill No. 2391 (gainsharing revisions). If neither bill is enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(6) \$12,000 of the department of retirement systems expense account--state appropriation is provided solely to implement Senate Bill No. 5014 (contribution rates). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(7) \$17,000 of the department of retirement systems expense account--state appropriation is provided solely to implement Senate Bill No. 5175 (retirement annual increases). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(8) \$200,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to design a plan for the operation of a universal voluntary retirement accounts program, and then seek approval from the federal internal revenue service to offer the plan to workers and employers in Washington on a tax qualified basis. Features of Washington voluntary retirement accounts plan include a defined contribution plan with a limited pre-selected menu of investment options, administration by the department of retirement systems, investment oversight by the state investment board, tax-deferred payroll deductions, retirement account portability between jobs, and a two-tier system with workplace

based individual retirement accounts open to all workers, and a deferred compensation 401(k)-type program or SIMPLE IRA-type program open to all employers who choose to participate for their employees. As part of this process, the director shall consult with the department of financial institutions, the state investment board, private sector retirement plan administrators and providers and other relevant sectors of the financial services industry, organizations promoting increased economic opportunities for individuals, employers, workers, and any other individuals or entities that the director determines relevant to the development of an effective and efficient method for implementing and operating the program. As part of this process, the director shall evaluate the most efficient methods for providing this service and ways to avoid competition with existing private sector vehicles. The director shall undertake the legal and development work to determine how to implement a universal voluntary retirement accounts program, managed through the department of retirement systems directly or by contract. By December 1, 2008, the director shall report to the legislature on the program's design and any required changes to state law that are necessary to implement the program.

(9) \$81,000 of the department of retirement systems expense account--state appropriation is provided solely for implementation of Engrossed House Bill No. 2887 (judges' service credit purchases). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(10) \$51,000 of the department of retirement systems expense account--state appropriation is provided solely for implementation of House Bill No. 3019 (partial year service credit for school district employees). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(11) \$40,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to contract with a skilled facilitator to mediate discussions to identify and document all outstanding issues related to the funding of retiree medical benefits in the law enforcement officers' and fire fighters' retirement system plan 1 and for staff resources to be used to conduct research in support of this effort. The stakeholder group shall include representatives of retired members of the law enforcement officers' and fire fighters' retirement system plan 1, local government employers, the department of retirement systems, and other groups as deemed necessary by the director of the department of retirement systems.

Sec. 134. 2007 c 522 s 136 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund--State Appropriation (FY 2008)	<del>(\$97,793,000)</del>	
	\$98,150,000	
General Fund--State Appropriation (FY 2009)	<del>(\$101,158,000)</del>	
	\$105,951,000	
Timber Tax Distribution Account--State Appropriation	.....	<del>(\$5,846,000)</del>
		\$5,788,000
Waste Reduction/Recycling/Litter Control--State Appropriation	.....	<del>(\$130,000)</del>
		\$128,000
Waste Tire Removal Account--State Appropriation	.....	\$2,000
Real Estate Excise Tax Grant Account--State Appropriation	.....	\$3,900,000
State Toxics Control Account--State Appropriation	<del>(\$88,000)</del>	
		\$87,000
Oil Spill Prevention Account--State Appropriation	.....	\$16,000
Pension Funding Stabilization Account Appropriation	.....	\$2,370,000
TOTAL APPROPRIATION	<del>(\$211,303,000)</del>	
		\$216,392,000

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

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(1) \$95,000 of the general fund--state appropriation for fiscal year 2008 and \$71,000 of the general fund--state appropriation for fiscal year 2009 are for the implementation of Substitute House Bill No. 1002 (taxation of vessels). If the bill is not enacted by June 30, 2007, the amounts in this subsection shall lapse.

(2) \$31,000 of the general fund--state appropriation for fiscal year 2008 is for the implementation of Substitute House Bill No. 1891 (prescription drugs). If the bill is not enacted by June 30, 2007, the amount in this subsection shall lapse.

(3)(a) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to conduct a study of the taxation of electronically delivered products. The legislature recognizes that chapter . . . (Engrossed Substitute House Bill No. 1981), Laws of 2007, relates to specific types of electronically delivered products and does not address the taxation of numerous other types of electronically delivered products. Therefore, a policy question remains concerning the sales and use taxation of other electronically delivered products.

(b)(i) To perform the study, the department of revenue shall be assisted by a committee. The committee shall include four legislative members appointed as follows:

(A) The president of the senate shall appoint one member from each of the two largest caucuses of the senate; and

(B) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(ii) The department of revenue shall appoint additional members with balanced representation from different segments of government and industry, and shall consider representation from the following areas: Small and large businesses that generate, deliver, or use electronically delivered products; financial institutions; insurers; persons with expertise in tax law in an academic or private sector setting; and persons experienced in working with computers and electronically delivered products. The department of revenue shall appoint additional members from the department with expertise in the excise taxation of electronically delivered products.

(iii) The committee shall choose its chair from among its membership.

(iv) The department and committee shall review the following issues: The provision of explicit statutory definitions for electronically delivered products; the current excise tax treatment of electronically delivered products in the state of Washington and other states as well as the tax treatment of these products under the streamlined sales and use tax agreement; the administration, costs, and potential recipients of the tax exemptions provided in chapter . . . (Engrossed Substitute House Bill No. 1981), Laws of 2007; and alternatives to the excise taxation of electronically delivered products.

(v) Legislative members of the committee are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members of the committee, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(c) The department shall report its preliminary findings and recommendations to the appropriate fiscal committees of the legislature by November 30, 2007. The department shall provide the final report of its findings and recommendations to the appropriate fiscal committees of the legislature by September 1, 2008.

(4) \$1,250,000 of the general fund--state appropriation for fiscal year 2009 is for the implementation of Engrossed Substitute Senate Bill No. 6809 (working families tax exemption). If the bill is not enacted by June 30, 2008, the amounts in this subsection shall lapse. This subsection does not constitute approval of the exemption under section 2, chapter . . . (ESSB 6809), Laws of 2008 or authorize payments of remittances.

(5) \$22,000 of the general fund--state appropriation for fiscal year 2009 is for the implementation of Second Substitute House Bill No. 3104 (domestic partnerships). If the bill is not enacted by June 30, 2008, the amounts in this subsection shall lapse.

**Sec. 135.** 2007 c 522 s 137 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account--State  
Appropriation . . . . . ~~(\$19,266,000)~~  
\$24,333,000

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

(1) \$2,500,000 of the state investment board expense account--state appropriation is provided solely for development of an investment data warehouse. This funding is intended to replace existing funding from nonbudgeted funds, with the intent that further expenditures for this project be made only by appropriation.

(2) \$1,791,000 of the state investment board expense account is for compensation and incentives for investment officers. Of this amount, \$852,000 is provided solely for implementation of Substitute House Bill No. 3149 (state investment board personnel compensation). The state investment board shall include funding for any future salary increases authorized under RCW 43.33A.100 in the agency's budget request submitted in accordance with chapter 43.88 RCW in advance of granting related salary increases. The biennial salary survey required under RCW 43.33A.100 shall also be provided to the office of financial management and to the fiscal committees of the legislature as part of the state investment board's biennial budget submittal.

**Sec. 136.** 2007 c 522 s 138 (uncodified) is amended to read as follows:

**FOR THE BOARD OF TAX APPEALS**

General Fund--State Appropriation (FY 2008) . . . . \$1,502,000  
General Fund--State Appropriation (FY 2009) . ~~(\$1,380,000)~~  
\$1,354,000  
TOTAL APPROPRIATION . . ~~(\$2,882,000)~~  
\$2,856,000

**Sec. 137.** 2007 c 522 s 139 (uncodified) is amended to read as follows:

**FOR THE MUNICIPAL RESEARCH COUNCIL**

County Research Services Account--State Appropriation  
. . . . . \$847,000  
City and Town Research Services--State  
Appropriation . . . . . \$4,458,000  
General Fund--State Appropriation (FY 2008) . . . . \$200,000  
General Fund--State Appropriation (FY 2009) . . ~~(\$200,000)~~  
\$225,000  
TOTAL APPROPRIATION . . ~~(\$5,705,000)~~  
\$5,730,000

The appropriations in this section are subject to the following conditions and limitations: \$25,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Substitute House Bill No. 3274 (port district contracting). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

**Sec. 138.** 2007 c 522 s 140 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

OMWBE Enterprises Account--State Appropriation

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..... ((~~\$3,650,000~~))  
\$3,615,000

The appropriations in this section are subject to the following conditions and limitations: \$19,000 of the OMWBE enterprise account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1512 (linked deposit program). ~~((If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.))~~

**Sec. 139.** 2007 c 522 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund--State Appropriation (FY 2008) . . . ((~~\$577,000~~))  
\$591,000  
General Fund--State Appropriation (FY 2009) . . . ((~~\$580,000~~))  
\$590,000  
General Fund--Federal Appropriation . . . . . ((~~\$3,655,000~~))  
\$3,651,000  
General Administration Service Account--State  
Appropriation . . . . . ((~~\$34,951,000~~))  
\$36,929,000  
TOTAL APPROPRIATION . ((~~\$39,763,000~~))  
\$41,761,000

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

~~((2))~~ (1) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the temporary emergency food assistance program.

(2) Within the appropriations in this section, specific funding is provided to implement Second Substitute House Bill No. 1332 (affordable housing).

(3) \$391,000 of the general administration services account--state appropriation for fiscal year 2009 is provided solely for implementation of costs associated with the planning of agency moves out of the general administration building.

(4) The department shall work with the office of financial management to develop a plan that balances revenues and expenditures for each line of business within the general administration services account. State agency rates developed for the 2009-2011 biennium must equitably and reasonably reflect the actual cost of services provided to state agencies including the appropriate allocation of agency overhead costs. By August 31, 2008, the department shall submit to the office of financial management and the fiscal committees of the legislature financial statements for each line of business that shall inform the basis for agency rate development for the forthcoming biennium.

(5) The department shall submit a report to the office of financial management and the fiscal committees of the legislature that responds to each of the state auditor's motor pool audit recommendations by August 31, 2008. This report shall consist of recommendations that have been adopted by the department, progress made towards achieving those recommendations not yet completed, and justification for why the department is unable to fulfill any of the recommendations in the report.

**Sec. 140.** 2007 c 522 s 142 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF INFORMATION SERVICES**

General Fund--State Appropriation (FY 2008) . . ((~~\$5,102,000~~))  
\$2,762,000  
General Fund--State Appropriation (FY 2009) . . ((~~\$2,088,000~~))  
\$4,623,000  
General Fund--Federal Appropriation . . . . . ((~~\$700,000~~))  
\$1,920,000

~~((Health Services Account--State Appropriation (FY 2008)~~  
\$1,000,000

~~Health Services Account--State Appropriation (FY 2009)~~  
\$1,000,000))

Public Safety and Education Account--State  
Appropriation (FY 2008) . . . . . \$695,000

Public Safety and Education Account--State  
Appropriation (FY 2009) . . . . . ((~~\$705,000~~))  
\$698,000

Data Processing Revolving Account--State  
Appropriation . . . . . ((~~\$6,400,000~~))  
\$6,377,000

TOTAL APPROPRIATION . ((~~\$17,690,000~~))  
\$17,075,000

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

(1) \$2,340,000 of the general fund--state appropriation for fiscal year ~~((2008))~~ 2009 is provided solely to connect eastern state hospital to the integrated hospital information system, which is intended to improve operations and allow greater interactions between the hospital and community clinics, including electronic transmission of inpatient data to outpatient clinics that will provide care following discharge. Connection to this network will allow consultation with specialists and provide access to training for staff. Prior to any purchase of goods or services, a feasibility plan must be approved by the information services board.

(2) \$1,250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to support the operations of the digital learning commons.

~~(3) ((~~\$1,000,000~~ of the health services account appropriation for fiscal year 2008 and \$1,000,000 of the health services account appropriation for fiscal year 2009 are provided solely to conduct a pilot project to develop an emergency medical response health management record system. The department shall contract to provide health management record services, such as those developed with patients in Whatcom county, to provide integrated care management that are web-services enabled. The record system developed by the pilot project will begin to provide services to emergency medical personnel within two years in at least King, Snohomish, Thurston, and Whatcom counties. The requirements of the pilot project contract shall require the initial development of specific evaluation criteria and a report on the performance of the system according to those criteria no later than June 30, 2009.~~

~~((4))~~ \$1,012,000 of the general fund--state appropriation for fiscal year 2008 and \$338,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for an evaluation of the information technology infrastructure capacity for institutions operated by the department of social and health services, department of veterans affairs, and department of corrections. The evaluation will detail the status of the participating institutions' infrastructure and recommend an improvement strategy that includes the use of electronic medical records. The department shall report back to the appropriate committees of the legislature on its findings by January 1, 2009.

~~((5))~~ (4) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for deposit into the data processing revolving account.

(5) \$195,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6438 (internet deployment/adoption), including sections 1 through 5 of the bill. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

**Sec. 141.** 2007 c 522 s 143 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

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General Fund--Federal Appropriation	.....	(\$1,574,000)
		\$1,564,000
Insurance Commissioners Regulatory Account--State		
Appropriation	.....	(\$45,340,000)
		\$45,442,000
TOTAL APPROPRIATION	.	(\$46,914,000)
		\$47,006,000

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

(1) \$464,000 of the insurance commissioners regulatory account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5717 (market conduct oversight). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(2) \$71,000 of the insurance commissioners regulatory account--state appropriation is provided solely for the implementation of section 17 (reduce health care administrative costs) in accordance with Senate Bill No. 5930 (blue ribbon commission on health care). If the section is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(3) \$286,000 of the insurance commissioner's regulatory account--state appropriation for fiscal year 2009 is provided solely for the insurance commissioner to convene a work group of health care providers, carriers, and payers, to identify and develop strategies to achieve savings through streamlining administrative requirements and procedures, as recommended in the report submitted pursuant to section 17, chapter 259, Laws of 2007. By December 1, 2008, the commissioner shall submit a report to the governor and the legislature that identifies the five highest priority goals for achieving significant efficiencies and reducing health care administrative costs, and a plan to accomplish these goals.

**Sec. 142.** 2007 c 522 s 144 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account--State		
Appropriation	.....	(\$2,596,000)
		\$2,575,000

**Sec. 143.** 2007 c 522 s 146 (uncodified) is amended to read as follows:

**FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Operating Account--State		
Appropriation	.....	(\$5,499,000)
		\$5,441,000

The appropriation in this section is subject to the following conditions and limitations: During the 2007-2009 fiscal biennium, the commission may increase license fees in excess of the fiscal growth factor as provided in RCW 43.135.055.

**Sec. 144.** 2007 c 522 s 147 (uncodified) is amended to read as follows:

**FOR THE LIQUOR CONTROL BOARD**

General Fund--State Appropriation (FY 2008)	....	\$1,910,000
General Fund--State Appropriation (FY 2009)	.	(\$1,953,000)
		\$1,912,000
Liquor Control Board Construction and Maintenance		
Account--State Appropriation	.....	(\$8,517,000)
		\$13,430,000
Liquor Revolving Account--State Appropriation		
.....		(\$195,858,000)
		\$194,799,000
TOTAL APPROPRIATION	.....	(\$208,238,000)
		\$212,051,000

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

(1) \$91,000 of the liquor revolving account--state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5859 (retail liquor licenses). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(2) \$2,070,000 of the liquor revolving account--state appropriation is provided solely for the liquor control board to operate an additional 29 state stores on Sundays by September 1, 2007. The board shall determine the impacts on sales as a result of operating the additional stores on Sunday. In doing so, the liquor control board shall also examine the sales of state and contract liquor stores in proximity to those stores opened on Sundays to determine whether Sunday openings have reduced the sales of other state and contract liquor stores that are not open on Sundays. The board shall present this information to the appropriate policy and fiscal committees of the legislature by January 31, 2009.

**Sec. 145.** 2007 c 522 s 148 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers'		
Administrative Account--State Appropriation	.....	(\$1,051,000)
		\$1,042,000

The appropriation in this section is subject to the following conditions and limitations: \$9,000 of the volunteer firefighters' and reserve officers' administrative account appropriation is provided solely to implement House Bill No. 1475 (additional board members). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

**Sec. 146.** 2007 c 522 s 149 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund--State Appropriation (FY 2008)	....	\$160,000
Public Service Revolving Account--State		
Appropriation	.....	(\$31,403,000)
		\$31,118,000
Pipeline Safety Account--State Appropriation	..	(\$3,195,000)
		\$3,167,000
Pipeline Safety Account--Federal Appropriation	...	\$1,535,000
TOTAL APPROPRIATION	..	(\$36,293,000)
		\$35,980,000

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

(1) In accordance with RCW 81.66.030, it is the policy of the state of Washington that the costs of regulating the companies transporting persons with special needs shall be borne by those companies. For each company or class of companies covered by RCW 81.66.030, the commission shall set fees at levels sufficient to fully cover the cost of supervising and regulating the companies or classes of companies. Pursuant to RCW 43.135.055, during the 2007-2009 fiscal biennium, the commission may increase fees in excess of the fiscal growth factor if the increases are necessary to fully fund the cost of supervision and regulation.

(2) In accordance with RCW 81.70.350, it is the policy of the state of Washington that the cost of regulating charter party carrier and excursion service carriers shall be borne by those entities. For each charter party carrier and excursion service carrier covered by RCW 81.70.350, the commission shall set fees at levels sufficient to fully cover the cost of supervising and regulating such carriers. Pursuant to RCW 43.135.055, during the 2007-2009 fiscal biennium, the commission may increase fees in excess of the fiscal growth factor if the increases are necessary to fully fund the cost of the program's supervision and regulation.

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(3) The general fund--state appropriation for fiscal year 2008 is provided solely to conduct a survey to identify factors preventing the widespread availability and use of broadband technologies. The survey must collect and interpret reliable geographic, demographic, cultural, and telecommunications technology information to identify broadband disparities in the state. The commission shall consult appropriate stakeholders in designing the survey. The names and identification data of any person, household, or business participating in the survey are exempt from public disclosure under chapter 42.56 RCW. The commission shall report its finding to the appropriate legislative committees by December 31, 2007.

Sec. 147. 2007 c 522 s 150 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund--State Appropriation (FY 2008)	<del>(\$11,439,000)</del>
	\$12,430,000
General Fund--State Appropriation (FY 2009)	<del>(\$11,812,000)</del>
	\$13,195,000
General Fund--Federal Appropriation . . . . .	<del>(\$107,611,000)</del>
	\$129,336,000
General Fund--Private/Local Appropriation . . . . .	\$2,000
Enhanced 911 Account--State Appropriation . . . . .	<del>(\$42,114,000)</del>
	\$42,293,000
Disaster Response Account--State Appropriation	<del>(\$12,852,000)</del>
	\$24,454,000
Disaster Response Account--Federal Appropriation	
.....	<del>(\$55,553,000)</del>
	\$86,757,000
Military Department Rent and Lease Account--State	
Appropriation . . . . .	<del>(\$374,000)</del>
	\$814,000
Worker and Community Right-to-Know Account--State	
Appropriation . . . . .	<del>(\$341,000)</del>
	\$337,000
Nisqually Earthquake Account--State Appropriation .	\$556,000
Nisqually Earthquake Account--Federal Appropriation	
.....	\$1,269,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$243,923,000)</b></del>
	<b>\$311,443,000</b>

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

(1) ~~(\$12,924,000)~~ \$24,454,000 of the disaster response account--state appropriation and ~~(\$55,769,000)~~ \$86,757,000 of the disaster response account--federal appropriation may be spent only on disasters declared by the governor and with the approval of the office of financial management. The military department shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2007-2009 biennium based on current revenue and expenditure patterns.

(2) \$556,000 of the Nisqually earthquake account--state appropriation and \$1,269,000 of the Nisqually earthquake account--federal appropriation are provided solely for response and recovery costs associated with the February 28, 2001, earthquake. The military department shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing earthquake recovery costs, including: (a) Estimates of total costs; (b) incremental changes from the previous estimate; (c) actual expenditures; (d) estimates of total remaining costs to be paid; and (e) estimates of future payments by biennium. This information shall be displayed by fund, by type of assistance, and by amount paid on behalf of state agencies or local organizations. The military department shall also submit a report quarterly to the office of financial management and the legislative fiscal committees detailing

information on the Nisqually earthquake account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2007-2009 biennium based on current revenue and expenditure patterns.

(3) \$61,000,000 of the general fund--federal appropriation is provided solely for homeland security, subject to the following conditions:

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

(b) This amount shall not be allotted until a spending plan is reviewed by the governor's domestic security advisory group and approved by the office of financial management;

(c) The department shall submit a quarterly report to the office of financial management and the legislative fiscal committees detailing the governor's domestic security advisory group recommendations; homeland security revenues and expenditures, including estimates of total federal funding for the state; incremental changes from the previous estimate, planned and actual homeland security expenditures by the state and local governments with this federal funding; and matching or accompanying state or local expenditures; and

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

(4) Within the funds appropriated in this section, the department shall implement Substitute House Bill No. 1507 (uniformed service shared leave).

(5) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$1,000,000)~~ \$1,750,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the military department to contract with the Washington information network 2-1-1 to operate a statewide 2-1-1 system. The department shall provide the entire amount for 2-1-1 and shall not take any of the funds for administrative purposes.

(6) \$200,000 of the enhanced 911 account--state appropriation is provided solely for the department to recommend an appropriate funding mechanism for the implementation of next generation 911. The department shall consult with the utilities and transportation commission, the department of revenue, local governments, and representatives from companies providing telecommunications services in order to complete the report required under this subsection. The department may also consult with other public safety and medical associations in order to complete the study. The department shall submit the report to the finance committee and the technology, energy, and communications committee of the house of representatives, and the ways and means committee and the water, energy, and telecommunications committee of the senate, by December 1, 2008.

Sec. 148. 2007 c 522 s 151 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund--State Appropriation (FY 2008) .	<del>(\$3,246,000)</del>
	\$3,247,000
General Fund--State Appropriation (FY 2009) .	<del>(\$3,353,000)</del>
	\$3,296,000
Department of Personnel Service Account--State	
Appropriation . . . . .	<del>(\$3,315,000)</del>
	\$3,287,000
<b>TOTAL APPROPRIATION . .</b>	<del><b>(\$9,914,000)</b></del>
	<b>\$9,830,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$112,000 of the general



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fund--state appropriation for fiscal year 2008 and \$107,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Substitute House Bill No. 2361 (higher education exempt employees). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

Sec. 149. 2007 c 522 s 152 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008)	. (( <del>\$1,087,000</del> ))
	\$1,114,000
General Fund--State Appropriation (FY 2009)	. (( <del>\$1,033,000</del> ))
	\$1,755,000
General Fund--Federal Appropriation	..... (( <del>\$1,651,000</del> ))
	\$1,641,000
General Fund--Private/Local Appropriation	..... \$14,000
TOTAL APPROPRIATION	.. (( <del>\$3,785,000</del> ))
	\$4,524,000

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

(1) \$30,000 of the general fund--state appropriation for fiscal year 2008 and \$30,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Substitute House Bill No. 2115 (heritage barn preservation). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(2) \$571,000 of the general fund--state appropriation for fiscal year 2009 and \$500,000 of the nonappropriated skeletal human remains assistance account are provided solely for implementation of Engrossed Second Substitute House Bill No. 2624 (human remains). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(3) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to conduct a preliminary assessment to determine the feasibility of seeking federal heritage area designation for Washington state's maritime regions. The department shall establish an advisory committee for the study. The department shall submit a report of the preliminary assessment findings to the appropriate policy and fiscal committees of the legislature and to the governor by January 1, 2010.

Sec. 150. 2007 c 522 s 153 (uncodified) is amended to read as follows:

**FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

General Fund--State Appropriation (FY 2008)	. (( <del>\$1,890,000</del> ))
	\$1,893,000
General Fund--State Appropriation (FY 2009)	. (( <del>\$1,942,000</del> ))
	\$1,928,000
TOTAL APPROPRIATION	.. (( <del>\$3,832,000</del> ))
	\$3,821,000

Sec. 151. 2007 c 522 s 154 (uncodified) is amended to read as follows:

**FOR THE STATE CONVENTION AND TRADE CENTER**

State Convention and Trade Center Account--State Appropriation	..... (( <del>\$36,910,000</del> ))
	\$44,773,000
State Convention and Trade Center Operating Account--State Appropriation	..... \$53,750,000
TOTAL APPROPRIATION	(( <del>\$90,660,000</del> ))
	\$98,523,000

(End of part)

**PART II HUMAN SERVICES**

Sec. 201. 2007 c 522 s 201 (uncodified) is amended to read as follows:

**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 be necessary to finance a unified health care plan for the WMIP program enrollment. The WMIP pilot projects shall not exceed a daily enrollment of ((~~13,000~~)) 6,000 persons, nor expand beyond one county, during the 2007-2009 biennium. The amount of funding assigned to the pilot projects from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled in the pilot project, times the number of clients enrolled in the pilot project. In implementing the WMIP pilot projects, the department may: (a) Withhold from calculations of "available resources" as set forth in RCW 71.24.025 a sum equal to the capitated rate for individuals enrolled in the pilots; and (b) employ capitation financing and risk-sharing arrangements in collaboration with health care service contractors licensed by the office of the insurance commissioner and qualified to participate in both the medicaid and medicare programs. The department shall conduct an evaluation of the WMIP, measuring changes in participant health outcomes, changes in patterns of service utilization, participant satisfaction, participant access to services, and the state fiscal impact.

(5)(a) 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. However, after May 1, 2008, unless specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year 2008 among programs after approval by the director of financial management. However, the department shall not transfer state

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moneys that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2008 caseload forecasts and utilization assumptions in the medical assistance, long-term care, foster care, adoption support, and child support programs, the department may transfer state moneys that are provided solely for a specified purpose. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

**Sec. 202.** 2007 c 522 s 202 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$313,898,000)</del>
	\$316,353,000
General Fund--State Appropriation (FY 2009)	<del>(\$327,462,000)</del>
	\$345,840,000
General Fund--Federal Appropriation . . . . .	<del>(\$468,668,000)</del>
	\$489,938,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$500,000)</del>
	\$2,187,000
Domestic Violence Prevention Account--State	
Appropriation . . . . .	\$1,000,000
Public Safety and Education Account--State	
Appropriation (FY 2008) . . . . .	\$3,251,000
Public Safety and Education Account--State	
Appropriation (FY 2009) . . . . .	\$3,254,000
Violence Reduction and Drug Enforcement Account--State	
Appropriation (FY 2008) . . . . .	\$2,934,000
Violence Reduction and Drug Enforcement Account--State	
Appropriation (FY 2009) . . . . .	\$2,934,000
Pension Funding Stabilization Account--State	
Appropriation . . . . .	\$2,298,000
<b>TOTAL APPROPRIATION</b> <del>(\$1,126,199,000)</del>	<b>\$1,169,989,000</b>

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

(1) \$3,063,000 of the general fund--state appropriation for fiscal year 2008 and \$3,063,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the category of services titled "intensive family preservation services."

(2) \$945,000 of the general fund--state appropriation for fiscal year 2008 and \$993,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to contract for the operation of one pediatric interim care facility. The facility shall provide residential care for up to seventeen children through two years of age. Seventy-five percent of the children served by the facility must be in need of special care as a result of substance abuse by their mothers. The facility shall also provide on-site training to biological, adoptive, or foster parents. The facility shall provide at least three months of consultation and support to parents accepting placement of children from the facility. The facility may recruit new and current foster and adoptive parents for infants served by the facility. The department shall not require case management as a condition of the contract.

(3) \$375,000 of the general fund--state appropriation for fiscal year 2008, \$375,000 of the general fund--state appropriation for fiscal year 2009, and \$322,000 of the general fund--federal appropriation are provided solely for up to three nonfacility-based programs for the training, consultation, support, and recruitment of biological, foster, and adoptive parents of children through age three in need of special care as a result of substance abuse by their mothers, except that each program may serve up to three medically fragile nonsubstance-abuse-affected children. In selecting nonfacility-based programs, preference shall be given to programs whose federal or private funding sources have expired or that have successfully performed under the existing pediatric interim care program.

(4) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$125,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a foster parent retention program. This program is directed at foster parents caring for children who act out sexually.

(5) The providers for the 31 HOPE beds shall be paid a ~~(\$1,000)~~ \$1,020 base payment per bed per month, and reimbursed for the remainder of the bed cost only when the beds are occupied.

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

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

(8) \$500,000 of the general fund--state appropriation for fiscal year 2008, \$500,000 of the general fund--state appropriation for fiscal year 2009, and \$429,000 of the general fund--federal appropriation are provided solely to increase services provided through children's advocacy centers.

(9) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a street youth program in Spokane.

(10) \$41,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$49,000)~~ \$37,000 of the general fund--state appropriation for fiscal year 2009, and ~~(\$41,000)~~ \$34,000 of the general fund--federal appropriation are provided solely for the implementation of Substitute House Bill No. 1472 (child welfare). ~~(If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.)~~

(11) \$858,000 of the general fund--state appropriation for fiscal year 2008, \$809,000 of the general fund--state appropriation for fiscal year 2009, and \$715,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5774 (background checks), including sections 6 and 7. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(12) \$4,962,000 of the general fund--state appropriation for fiscal year 2008, \$4,586,000 of the general fund--state appropriation for fiscal year 2009, and \$9,548,000 of the general fund--federal appropriation are provided solely for development and implementation of a statewide automated child welfare information system.

(13) \$126,000 of the general fund--state appropriation for fiscal year 2009 and \$55,000 of the general fund--federal appropriation are provided solely to implement Substitute Senate Bill No. 5321 (child welfare). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

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(14) \$707,000 of the general fund--state appropriation for fiscal year 2008, \$680,000 of the general fund--state appropriation for fiscal year 2009, and \$594,000 of the general fund--federal appropriation are provided solely for the implementation of Second Substitute House Bill No. 1334 (child welfare proceedings). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(15) \$2,237,000 of the general fund--state appropriation for fiscal year 2008, \$2,238,000 of the general fund--state appropriation for fiscal year 2009, and \$1,918,000 of the general fund--federal appropriation are provided solely for the implementation of Substitute House Bill No. 1333 (child welfare). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(16) \$137,000 of the general fund--state appropriation for fiscal year 2008, \$137,000 of the general fund--state appropriation for fiscal year 2009, and \$118,000 of the general fund--federal appropriation are provided solely for implementation of Substitute House Bill No. 1287 (foster children). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(17) \$50,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the department to contract with the Washington state institute for public policy to study evidence-based, cost-effective programs and policies to reduce the likelihood of children entering and remaining in the child welfare system, including both prevention and intervention programs. If the department does not receive \$100,000 in matching funds from a private organization for the purpose of conducting this study, the amount provided in this subsection shall lapse. The study shall be completed by April 30, 2008. The department shall cooperate with the institute in facilitating access to data in their administrative systems. The board of the Washington state institute for public policy may adjust the due date for this project as necessary to efficiently manage workload.

(18) \$103,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$98,000)~~ \$407,000 of the general fund--state appropriation for fiscal year 2009, and ~~(\$201,000)~~ \$48,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1131 (passport to college). This includes funding to develop, implement, and administer a program of educational transition planning for youth in foster care as specified in the bill. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(19) The department shall continue spending levels for continuum of care in region one at the same level allotted during the 2005-2007 biennium.

(20) Within the amounts provided, the department shall develop and implement a two-tiered reimbursement rate schedule for children from birth through twenty-four months of age and children twenty-five months of age through age five served by the medicaid treatment child care program. The department shall work in collaboration with contracted providers of the program to develop the rate schedule, taking into consideration such factors as higher staff level and small group size requirements for each age group. The department shall implement the rate schedule no later than January 1, 2008, and neither reimbursement rate in the two-tiered schedule shall be lower than the reimbursement rate level from the 2007 fiscal year.

(21) \$60,000 of the general fund--state appropriation for fiscal year 2008, \$20,000 of the general fund--state appropriation for fiscal year 2009, and \$35,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1624 (child welfare). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(22) \$49,000 of the general fund--state appropriation for fiscal year 2008, \$24,000 of the general fund--state appropriation for fiscal year 2009, and \$35,000 of the general

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fund--federal appropriation are provided solely for the implementation of chapter 384, Laws of 2007.

(23) The department shall work with the exclusive bargaining representative for the children's administration social workers to prioritize social worker tasks and devise methods by which to alleviate from the social workers' workload lower priority tasks. Discussions on methods shall include the use of contracting services and home support specialists. The department and the bargaining representative shall jointly report their efforts to the appropriate committees of the legislature by submitting a progress report no later than July 1, 2008, and a final report by November 15, 2008.

(24) \$10,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department to contract with the largest nonprofit organization in the state conducting education and outreach on RCW 13.34.360, the safety of newborn children law.

(25) \$616,000 of the general fund--state appropriation for fiscal year 2009 and \$184,000 of the general fund--federal appropriation are provided solely to contract with medical professionals for comprehensive safety assessments of high-risk families. The safety assessments will use validated assessment tools to guide intervention decisions through the identification of additional safety and risk factors. \$400,000 of this amount is for comprehensive safety assessments for families receiving in-home child protective services or family voluntary services. \$400,000 of this amount is for comprehensive safety assessments of families with an infant age birth to fifteen days where the infant was, at birth, diagnosed as substance exposed and the department received an intake referral related to the infant due to the substance exposure.

(26) \$500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a two-year pilot program in Clark county to develop a screening tool to identify reactive attachment disorder in children and provide them with appropriate and recommended intervention services. The pilot shall be open to children receiving services in Clark county from the department's children and family services division. The division shall contract with a provider currently providing services in Clark county to deliver a comprehensive approach to the assessment, diagnosis, and treatment of reactive attachment disorder. The goal of the pilot project is to develop an intake tool and evidence-based intervention services to permit early recognition and treatment of children with reactive attachment disorder served by the department's children and family services division. If the costs of the pilot exceeds the appropriation, the department shall adjust the eligibility of children participating in the pilot to conform to the appropriation and shall promptly notify the fiscal committees of the legislature. It is the intent of the legislature to provide additional resources in fiscal year 2010 for the second year of the pilot project.

(27) \$1,100,000 of the general fund--state appropriation for fiscal year 2009 and \$347,000 of the general fund--federal appropriation are provided solely for the hiring of twenty home support specialists, and respective supervisory and support staff, to be concentrated in counties experiencing an increase in dependency filings above the state average. Starting July 1, 2008, the home support specialists shall be allocated to the following field offices: Three to Bellingham, two to Shelton, eight to Spokane, two to Aberdeen, and five to Tacoma. It is the intent of the legislature for these specialists to be placed in addition to current staff and staff being hired under the department's phase-in of social workers provided in the 2007-09 biennial budget. The department shall not use the staff provided in this subsection to supplant existing staff or staff to be phased in according to the 2007-09 biennial budget. The department shall track the following data monthly within each of the field offices receiving the additional support specialists: (a) Number of case-carrying social workers; (b) number of case-carrying home support specialists; (c) date of hires of social workers and home support specialists; (d) number of families receiving

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services, where no petition for dependency, at risk youth, child in need of services, or truancy has been filed; and (e) number of families receiving services where a dependency petition has been filed. For a minimum of 10 days in February 2009, the department shall use the workload study tool to measure the social worker workload in these five field offices and compare the results to the February 2007 data. The department shall provide the data and its findings to the appropriate committees of the legislature, with a preliminary report by December 15, 2008, and a final report by June 15, 2009.

(28) \$42,000 of the general fund--state appropriation for fiscal year 2009 and \$29,000 of the general fund--federal appropriation are provided solely for the department to implement Second Substitute Senate Bill No. 6206 (child fatality). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(29) \$857,000 of the general fund--state appropriation for fiscal year 2009 and \$140,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 3145 (foster parent licensing). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(30) \$415,000 of the general fund--state appropriation for fiscal year 2008, \$469,000 of the general fund--state appropriation for fiscal year 2009, and \$264,000 of the general fund--federal appropriation are provided solely for the hiring of staff to expedite the phase-in of the state's policy of a private and individual face-to-face visit each month with children in out-of-home care and in-home dependencies and their caregivers.

(31) \$109,000 of the general fund--state appropriation for fiscal year 2009 and \$35,000 of the general fund--federal appropriation are provided solely to implement sections 2 and 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term well-being). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(32) The appropriations in this section provide specific funds to implement Engrossed Substitute Senate Bill No. 6792 (dependency matters).

(33) \$70,000 of the general fund--state appropriation for fiscal year 2009 and \$38,000 of the general fund--federal appropriation are provided solely for implementation of Substitute House Bill No. 2679 (students in foster care). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(34) \$585,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for additional contracted educational advocacy coordinators to provide educational assistance to children in foster care.

(35) \$812,000 of the general fund--state appropriation for fiscal year 2009 and \$256,000 of the general fund--federal appropriation are provided solely for the department to hire additional staff to perform child health education and tracking screens.

(36) \$581,000 of the general fund--state appropriation for fiscal year 2009 and \$319,000 of the general fund--federal appropriation are provided solely for a multidimensional treatment foster care program to recruit foster homes to serve children with high behavioral and emotional needs.

(37) \$1,829,000 of the general fund--state appropriation for fiscal year 2009 and \$578,000 of the general fund--federal appropriation are provided solely for the department to contract with nonprofit organizations to facilitate twice-monthly visits between siblings living apart from each other in out-of-home care.

**Sec. 203.** 2007 c 522 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE REHABILITATION PROGRAM**

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General Fund--State Appropriation (FY 2008)	<del>(\$87,795,000)</del>
	\$87,822,000
General Fund--State Appropriation (FY 2009)	<del>(\$91,182,000)</del>
	\$88,715,000
General Fund--Federal Appropriation . . . . .	<del>(\$5,799,000)</del>
	\$5,662,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$1,098,000)</del>
	\$1,898,000
Reinvesting in Youth--State Appropriation . . . . .	\$1,414,000
Washington Auto Theft Prevention Authority Account-- State Appropriation . . . . .	\$171,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2008) . . . . .	<del>(\$21,458,000)</del>
	\$21,975,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2009) . . . . .	<del>(\$21,568,000)</del>
	\$22,078,000
Juvenile Accountability Incentive Account--Federal Appropriation . . . . .	\$2,510,000
Pension Funding Stabilization Account--State Appropriation . . . . .	\$2,200,000
<b>TOTAL APPROPRIATION</b> <del>(\$235,195,000)</del>	<b>\$234,445,000</b>

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

(1) \$353,000 of the violence reduction and drug enforcement account appropriation for fiscal year 2008 and \$353,000 of the violence reduction and drug enforcement account appropriation for fiscal year 2009 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$3,078,000 of the violence reduction and drug enforcement account appropriation and \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$3,078,000 of the violence reduction and drug enforcement account appropriation and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county impacts associated with the implementation of chapter 338, Laws of 1997 and shall be distributed to counties as prescribed in the current consolidated juvenile services (CJS) formula.

(3) \$1,030,000 of the general fund--state appropriation and \$2,686,000 of the violence reduction and drug enforcement account appropriation for fiscal year 2008 and \$1,030,000 of the general fund--state appropriation and \$2,686,000 of the violence reduction and drug enforcement account appropriation for fiscal year 2009 are provided solely to implement community juvenile accountability grants pursuant to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided in this subsection may be used solely for community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants.

(4) \$1,506,000 of the violence reduction and drug enforcement account appropriation for fiscal year 2008 and \$1,506,000 of the violence reduction and drug enforcement account appropriation for fiscal year 2009 are provided solely to implement alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these moneys on a competitive basis to counties that submitted a plan for the provision of services approved by the division of alcohol and substance abuse. The juvenile rehabilitation administration shall develop criteria for evaluation of plans submitted and a timeline for awarding

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funding and shall assist counties in creating and submitting plans for evaluation.

(5) \$2,669,000 of the general fund--state appropriation for fiscal year 2008 and \$3,066,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for grants to county juvenile courts for the following programs identified by the Washington state institute for public policy (institute) in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Functional family therapy, multi-systemic therapy, aggression replacement training and interagency coordination programs or other programs with a positive benefit-cost finding in the institute's report. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(6) \$1,287,000 of the general fund--state appropriation for fiscal year 2008 and \$1,287,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for expansion of the following treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Multidimensional treatment foster care, family integrated transitions and aggression replacement training. The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(7) The juvenile rehabilitation administration shall provide a block grant, rather than categorical funding, of consolidated juvenile services funds, community juvenile accountability act grants, the chemically dependent disposition alternative, and the special sex offender disposition to county juvenile courts, or groups of courts, including the Pierce county juvenile court. The juvenile rehabilitation administration and the family policy council shall jointly write criteria for awarding and administering block grants to county juvenile courts. In developing the criteria, the juvenile rehabilitation administration and the family policy council shall seek the advice of the Washington state institute for public policy. The criteria shall address, but not be limited to:

(a) The selection of courts for participation in the block grant;

(b) The types of evidence-based programs and practices to which the funds will be applied. The evidence-based programs and practices shall either be consistent with those cost-beneficial options identified by the Washington state institute for public policy in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates," or be new approaches that have the potential to demonstrate positive returns for the taxpayer; and

(c) The protocols for participating courts to collect information on the effectiveness of programs funded under the block grant, including: (i) Developing intermediate client outcomes based on the risk assessment tool currently used by juvenile courts and in coordination with the juvenile rehabilitation administration; (ii) reporting treatment outcomes including a process evaluation to the juvenile rehabilitation administration and the family policy council by June 20, 2008, and an outcome evaluation of recidivism and benefit-cost results submitted within eighteen months of the initiation of the treatment, when follow-up data are available. The courts shall develop these evaluations in consultation with the juvenile rehabilitation administration, the family policy council, and the Washington state institute for public policy; and (iii) documenting the process for managing block grant funds on a quarterly basis and provide this report to the juvenile rehabilitation administration and the family policy council.

(8) \$73,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2008 and \$98,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Third Substitute House Bill No. 1001 (auto theft). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(9) \$165,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to the juvenile rehabilitation administration for the purpose of establishing a single county pilot program to promote participation in offender programs for juveniles under the jurisdiction of a county juvenile court or the department, and their families. The pilot program shall provide incentives for families for consenting to, and participating in good faith, in a program recommended by the department as appropriate. The pilot location as well as the structure, amount, and disbursement of incentives shall be determined by the department in consultation with the University of Washington school of medicine's department of psychiatry and behavioral sciences division of public behavioral health and justice and the evidence-based program model developers. To be eligible, a county must have imposed the sales and use tax authorized by RCW 82.14.460. The pilot program shall be limited to evidence-based programs identified by the Washington state institute for public policy in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates" which have been identified as having a positive benefit-cost ratio. The pilot program shall be operational by December 1, 2008. The department, in cooperation with the University of Washington, shall evaluate the results of the pilot program, including any reduction in recidivism for a juvenile participating in the pilot program and shall provide a preliminary report to the governor and the legislature on the results of the pilot program by December 1, 2010, and a final report by December 1, 2012.

**Sec. 204.** 2007 c 522 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH PROGRAM**

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund--State Appropriation (FY 2008)	<del>(\$302,674,000)</del>
	\$305,747,000
General Fund--State Appropriation (FY 2009)	<del>(\$312,997,000)</del>
	\$328,783,000
General Fund--Federal Appropriation . . . . .	<del>(\$380,003,000)</del>
	\$382,032,000
General Fund--Private/Local Appropriation . . .	<del>(\$11,948,000)</del>
	\$16,157,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$1,007,622,000)</b></del>
	<b>\$1,032,719,000</b>

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

(a) \$103,989,000 of the general fund--state appropriation for fiscal year 2008 and \$104,080,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for persons and services not covered by the medicaid program. These funds shall be distributed proportionally to each regional support network's percentage of the total state population.

(b) \$16,900,000 of the general fund--state appropriation for fiscal year 2008 and \$16,900,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department and regional support networks to contract for development and initial implementation of high-intensity program for active community treatment (PACT) teams, and other proven program approaches that the department concurs will enable the regional support network to achieve significant reductions during fiscal year 2008 and thereafter in the number

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of beds the regional support network would otherwise need to use at the state hospitals.

(c) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 222 per day throughout fiscal year 2008. Beginning January 1, 2009, the number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 777 per day during the first and second quarters of fiscal year 2008, and 677 per day from January 2008 through August 2008. Beginning September 2008, the number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 647 per day until May 2009, at which time the bed allocation shall be 617 beds per day. Beginning January 2008, beds in the program for adaptive living skills (PALS) are not included in the preceding bed allocations. Beginning that month, the department shall separately charge regional support networks for persons served in the PALS program ~~((and for use of state hospital beds for short-term commitments))~~.

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

~~(e) (Within amounts appropriated in this subsection, the department shall contract with the Clark county regional support network for development and operation of a project demonstrating collaborative methods for providing intensive mental health services in the school setting for severely emotionally disturbed children who are medicaid eligible. Project services shall be delivered by teachers and teaching assistants who qualify as, or who are under the supervision of, mental health professionals meeting the requirements of chapter 275-57 WAC. The department shall increase medicaid payments to the regional support network by the amount necessary to cover the necessary and allowable costs of the demonstration, not to exceed the upper payment limit specified for the regional support network in the department's medicaid waiver agreement with the federal government after meeting all other medicaid spending requirements assumed in this subsection. The regional support network shall provide the required nonfederal share of the increased medicaid payment provided for operation of this project.~~

~~((f))~~ At least \$902,000 of the federal block grant funding appropriated in this subsection shall be used for the continued operation of the mentally ill offender pilot program.

~~((g))~~ (f) \$5,000,000 of the general fund--state appropriation for fiscal year 2008 and \$5,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The department is authorized to transfer up to \$418,000 of these amounts each fiscal year to the economic services program for purposes of facilitating prompt access after their release from confinement to medical and income assistance services for which defendants and offenders may be eligible.

~~((h))~~ (g) \$1,500,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for grants for innovative mental health service delivery projects. Such projects may include, but are not limited to, clubhouse programs and projects for integrated health care and behavioral health services for general assistance recipients. These amounts shall supplement, and not supplant, local or other funding currently being used for activities funded under the projects authorized in this subsection.

~~((i))~~ (h) The department is authorized to continue to expend federal block grant funds and special purpose federal

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grants through direct contracts, rather than through contracts with regional support networks, and to allocate such funds through such formulas as it shall adopt.

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

~~((k))~~ (j) \$2,250,000 of the general fund--state appropriation for fiscal year 2008, \$2,250,000 of the general fund--state appropriation for fiscal year 2009, and \$4,500,000 of the general fund--federal appropriation are provided solely for the continued operation of community residential and support services for persons who are older adults or who have co-occurring medical and behavioral disorders and who have been discharged or diverted from a state psychiatric hospital. These funds shall be used to serve individuals whose treatment needs constitute substantial barriers to community placement, who no longer require active psychiatric treatment at an inpatient hospital level of care, and who no longer meet the criteria for inpatient involuntary commitment. Coordination of these services will be done in partnership between the mental health program and the aging and disability services administration.

~~((l))~~ (k) \$750,000 of the general fund--state appropriation for fiscal year 2008 and \$750,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

~~((m) \$2,979,000)~~ (l) \$2,981,000 of the general fund--state appropriation for fiscal year 2008, ~~(((\$3,249,000))~~ \$3,248,000 of the general fund--state appropriation for fiscal year 2009, and ~~(((\$2,040,000))~~ \$2,016,000 of the general fund--federal appropriation are provided solely to modify the department's proposed new payment rates for medicaid inpatient psychiatric services. Under the department's proposed rate system, effective August 1, 2007, each hospital's inpatient psychiatric payment rate would have been set at a percentage of that hospital's estimated per diem cost for psychiatric inpatient care during the most recent rebasing year. Within the amount provided in this subsection (l)(m), beginning August 1, 2007, each hospital's inpatient psychiatric payment rate shall instead be set at the greater of a percentage of: (i) The hospital's estimated per diem cost for psychiatric inpatient care during the most recent rebasing year; or (ii) the statewide average per diem cost for psychiatric inpatient care during the most recent rebasing year, adjusted for regional wage differences and for differences in medical education costs. At least thirty days prior to implementing adjustments to regional support network medicaid capitation rates and nonmedicaid allocations to account for changes in psychiatric inpatient payment rates, the department shall report on the proposed adjustments to the appropriations committee of the house of representatives and the ways and means committee of the senate.

~~((n))~~ (m) \$6,267,000 of the general fund--state appropriation for fiscal year 2008 and \$6,462,000 of the general fund--~~(federal)~~ state appropriation for fiscal year 2009 are provided solely to increase nonmedicaid psychiatric inpatient payment rates over fiscal year 2005 levels. It is expected that nonmedicaid rates will be set at approximately 85 percent of each hospital's medicaid psychiatric inpatient rate. At least thirty days prior to implementing adjustments to regional support network medicaid capitation rates and nonmedicaid allocations to account for changes in psychiatric inpatient payment rates, the department shall report on the proposed adjustments to the appropriations committee of the house of representatives and the ways and means committee of the senate.

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~~((o))~~ ~~(\$7,363,000)~~ (n) \$7,396,000 of the general fund--state appropriation for fiscal year 2008, ~~(((\$15,028,000))~~ \$15,146,000 of the general fund--state appropriation for fiscal year 2009, and \$13,927,000 of the general fund--federal appropriation are provided solely to increase regional support network medicaid capitation rates, or fee- for-service rates paid instead of those capitation rates, and nonmedicaid allocations by 3.0 percent effective July 1, 2007, and by an additional 3.0 percent effective July 1, 2008. The federal portion of these rate increases is contingent upon federal approval. (i) The legislature intends and expects that regional support networks and community mental health agencies will use at least 67 percent of the amounts provided in this subsection (1)(o) to increase compensation for direct care personnel above and beyond usual and customary wage increases. To this end, regional support networks shall report to the department by October 15, 2007, on planned uses of the rate increases within their network area. The report shall describe the direct care job classifications to which increases are to be provided; the number of full-time equivalent personnel employed in each classification; the annualized dollar and percentage increases to be provided each classification; the annualized dollar value of the direct care compensation increases provided, in total and as a percentage of the total rate increase; and the number of personnel in each job classification covered by a collective bargaining agreement. The department shall summarize and analyze the regional plans, and report findings, options, and recommendations to the legislature by December 1, 2007. (ii) Regional support networks shall maintain documentation of how the rate increases have been applied. Such documentation shall be subject to audit by the department. (iii) For purposes of this subsection (1)(o), "direct care staff" means persons employed by community mental health agencies whose primary responsibility is providing direct treatment and support to people with mental illness, or whose primary responsibility is providing direct support to such staff in areas such as client scheduling, client intake, client reception, client records-keeping, and facilities maintenance. In agencies that provide both mental health and chemical dependency services, nonmedicaid funds may also be used for compensation increases for direct care staff whose primary responsibility is direct care and treatment for people with chemical dependency problems.

~~((p))~~ (o) \$2,021,000 of the general fund--state appropriation for fiscal year 2008 and \$1,683,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute House Bill No. 1456 (mental health professionals). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse. For purposes of organizing and delivering training as required by the bill, the department may retain up to fifteen percent of the amount appropriated for fiscal year 2008, and up to ten percent of the amount appropriated for fiscal year 2009. The remainders shall be distributed to regional support networks proportional to each network's percentage of the total state population.

(p) \$135,000 of the general fund--state appropriation for fiscal year 2008, \$3,031,000 of the general fund--state appropriation for fiscal year 2009, and \$1,289,000 of the general fund--private/local appropriation are provided solely to enable the department to contract with Pierce county human services for the provision of community mental health services to include crisis triage, evaluation and treatment, and mobile crisis services. The legislature intends this to be one-time funding while a replacement regional support network is being secured. The department is authorized to reserve \$402,000 general fund--state and \$201,000 general fund--local of these amounts for reasonable costs incurred by Pierce county for the provision of mental health crisis and related services that exceed reimbursement levels contracted by the department. In order to receive these funds, Pierce county must demonstrate to the department that the total cost of mental health services provided by the county in accordance with formal agreements has

exceeded the revenues received from the department and third-party payers for these services. The department shall determine the documentation that is required.

(q) \$504,000 of the general fund--state appropriation for fiscal year 2008 and \$1,529,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(r) \$750,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Spokane regional support network to implement a comprehensive plan for reducing its utilization of eastern state hospital. Key elements of the plan, which shall be developed and implemented in consultation with and with the assistance of the department, may include but shall not be limited to development of additional crisis triage, crisis stabilization, and evaluation and treatment beds; provision of housing assistance for high-utilizers of hospital and jail services who are at risk of homelessness; implementation of an intensive outpatient treatment team for persons with co-occurring disorders and other special needs; and delivery of respite care to assist elderly individuals avoid or return home after hospitalization.

(s) \$6,250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for regional support networks to increase and improve delivery of nonmedicaid services. These funds shall be distributed to regional support networks, other than Spokane and Pierce county, proportional to each network's share of total population among those networks.

(t) \$215,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to assist nongovernmental mental health agencies in Pierce county with start-up and other extraordinary administrative costs required by the conversion from a capitated to a unit fee-based service delivery and billing system.

(u) \$15,000 of the general fund--state appropriation for fiscal year 2008 and \$235,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for one-time grants for emergent financial relief for clubhouses. In order to receive these funds, the clubhouse must be able to demonstrate need to the department. The department shall develop and implement a simplified application form. The clubhouses shall provide financial documentation to the department as requested to support their application. The amounts and quantity of the individual grants shall be at the discretion of the department.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2008)	<del>(((\$142,545,000))</del>
	\$138,340,000
General Fund--State Appropriation (FY 2009)	<del>(((\$139,286,000))</del>
	\$131,973,000
General Fund--Federal Appropriation . . . . .	<del>(((\$146,401,000))</del>
	\$145,602,000
General Fund--Private/Local Appropriation . . . . .	<del>(((\$57,064,000))</del>
	\$66,302,000
Pension Funding Stabilization Account--State	
Appropriation . . . . .	\$7,058,000
TOTAL APPROPRIATION	<del>(((\$492,354,000))</del>
	\$489,275,000

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

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

(b) \$45,000 of the general fund--state appropriation for fiscal year 2008 and \$45,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(c) \$18,575,000 of the general fund--state appropriation for fiscal year 2008 and \$9,675,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to operate on a temporary basis five additional adult civil commitment wards at the state psychiatric hospitals. The legislature intends for these wards to close, on a phased basis, during the 2007-09 biennium as a result of targeted investments in community services for persons who would otherwise need care in the hospitals.

(d) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$125,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for safety training and for protective equipment for staff at eastern and western state hospitals. Protective equipment shall include shields, helmets, gloves, and body protection.

(e) \$304,000 of the general fund--state appropriation for fiscal year 2008 and \$231,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(e) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(f) \$133,000 of the general fund--state appropriation for fiscal year 2008 and \$2,145,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to pilot a direct care nurse staffing plan for two high incident wards at eastern state hospital and four high incident wards at western state hospital. The pilot provides funding to fully staff registered nurses, licensed practical nurses, and mental health technicians in accordance with the state psychiatric hospitals direct care staffing review and recommendations. The department shall have the authority to fill the positions with any mix of these direct care nursing staff so long as a good faith effort is made to first hire and recruit positions in accordance with the direct care nurse staffing plan. The department shall monitor outcomes for improved patient and staff safety and provide a written report to the legislature by October 1, 2009.

(g) \$617,000 of the general fund--state appropriation for fiscal year 2008 and \$334,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to cover additional operating costs related to the October 11, 2007, laundry fire at western state hospital.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2008) . . . . .	(\$1,892,000)
	\$1,917,000
General Fund--State Appropriation (FY 2009) . . . . .	(\$2,192,000)
	\$2,319,000
General Fund--Federal Appropriation . . . . .	(\$3,195,000)
	\$3,276,000
TOTAL APPROPRIATION . . . . .	(\$7,279,000)
	\$7,512,000

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

(a) \$877,000 of the general fund--state appropriation for fiscal year 2008, \$1,189,000 of the general fund--state appropriation for fiscal year 2009, and \$140,000 of the general fund--federal appropriation are provided solely for implementation of sections 4, 7, 10, and other provisions of Second Substitute House Bill No. 1088 (children's mental health). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse. Funds are also appropriated in sections 207 and 209 of this act for implementation of 5, 8, and 11 of Second Substitute House Bill No. 1088.

(b) \$25,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington institute for mental illness research and training to

study whether and the extent to which there is a greater concentration of people with severe and persistent mental illness in counties proximate to state psychiatric hospitals. The institute shall report its findings to the department and the appropriate fiscal and policy committees of the legislature by October 30, 2008. To the extent indicated, the department and the regional support networks shall incorporate the results of the study into revisions of the formula used to allocate state hospital beds among the regional support networks.

(c) \$80,000 of the general fund--state appropriation for fiscal year 2009 and \$80,000 of the general fund--federal appropriation are provided solely as one-time funding to make available a mental health train the trainer first aid course consisting of twelve hours of instruction based upon a program created by the department of psychiatry, University of Melbourne in Australia. The course will provide training to members of the public related to: (i) Giving appropriate initial help and support to a person suffering from a mental disorder and responding to mental health crisis situations; and (ii) depression, anxiety disorders, psychosis, and substance use disorder, including recognizing symptoms, possible causes or risk factors, and evidenced-based treatment options. Participants in the first aid course will train others to provide the training.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2008) . . . . .	\$4,966,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$5,060,000)</del>
	\$5,177,000
General Fund--Federal Appropriation . . . . .	<del>(\$7,604,000)</del>
	\$7,557,000
TOTAL APPROPRIATION . . . . .	<del>(\$17,630,000)</del>
	\$17,700,000

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

(a) \$125,000 of the general fund--state appropriation for fiscal year 2008, \$125,000 of the general fund--state appropriation for fiscal year 2009, and \$164,000 of the general fund--federal appropriation are provided solely for the institute for public policy to continue the longitudinal analysis directed in chapter 334, Laws of 2001 (mental health performance audit), to build upon the evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill offenders), and to assess program outcomes and cost effectiveness of the children's mental health pilot projects as required by chapter 372, Laws of 2006.

(b) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to (i) implement those recommendations from the 2006 joint stakeholder paperwork reduction project that are permissible within federal and state law; and (ii) conduct a thorough review of community mental health paperwork procedures and requirements to identify opportunities for standardization and improved efficiency. The department shall report progress on these efforts to the appropriate policy and fiscal committees of the legislature by January 15, 2009.

(c) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department to contract with a facilitator to coordinate a review and make recommendations on:

- (i) Ward sizes at eastern and western state hospitals and patient case mix by ward;
- (ii) Discharge practices for state hospitals to include the child and study treatment center; and
- (iii) Community placements to include placements for adults and children.

By October 15, 2008, the department shall provide to the legislature recommendations for system improvement to include a cost/benefit analysis. The department shall include representation from regional support networks in the review and development of recommendations for discharge practices and community placements.



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**Sec. 205.** 2007 c 522 s 205 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund--State Appropriation (FY 2008)	<del>(\$346,600,000)</del>
	\$348,327,000
General Fund--State Appropriation (FY 2009)	<del>(\$373,776,000)</del>
	\$380,811,000
General Fund--Federal Appropriation . . . . .	<del>(\$633,258,000)</del>
	\$636,595,000
Health Services Account--State Appropriation (FY 2008)	
.....	\$452,000
Health Services Account--State Appropriation (FY 2009)	
.....	\$452,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$1,354,538,000)</b></del>
	<b>\$1,366,637,000</b>

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

(a) The entire health services account appropriation, \$615,000 of the general fund--state appropriation for fiscal year 2008, \$892,000 of the general fund--state appropriation for fiscal year 2009, and \$2,546,011 of the general fund--federal appropriation are provided solely for health care benefits for agency home care workers who are employed through state contracts for at least twenty hours a week. The state contribution to the cost of health care benefits per participating worker per month shall be no greater than \$532.00 in fiscal year 2008 and \$585.00 in fiscal year 2009.

(b) Individuals receiving family support or high school transition payments as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(c) \$4,903,000 of the general fund--state appropriation for fiscal year 2008, \$9,295,000 of the general fund--state appropriation for fiscal year 2009, and \$15,016,000 of the general fund--federal appropriation are provided solely for community residential and support services. Funding in this subsection shall be prioritized for (i) residents of residential habilitation centers who are able to be adequately cared for in community settings and who choose to live in those community settings; (ii) clients without residential services who are at immediate risk of institutionalization or in crisis; (iii) children who are at risk of institutionalization or who are aging out of other state services; and (iv) current home and community-based waiver program clients who have been assessed as having an immediate need for increased services. First priority shall be given to children who are at risk of institutionalization. The department shall ensure that the average cost per day for all program services other than start-up costs shall not exceed \$300. In order to maximize the number of clients served and ensure the cost-effectiveness of the waiver programs, the department will strive to limit new client placement expenditures to 90 percent of the budgeted daily rate. If this can be accomplished, additional clients may be served with excess funds, provided the total projected carry-forward expenditures do not exceed the amounts estimated. The department shall electronically report to the appropriate committees of the legislature, within 45 days following each fiscal year quarter, the number of persons served with these additional community services, where they were residing, what kinds of services they were receiving prior to placement, and the actual expenditures for all community services to support these clients.

(d) ~~(\$2,799,000)~~ \$2,399,000 of the general fund--state appropriation for fiscal year 2008, \$5,961,000 of the general fund--state appropriation for fiscal year 2009, and ~~(\$9,268,000)~~ \$8,849,000 of the general fund--federal

appropriation are provided solely for expanded community services for persons with developmental disabilities who also have community protection issues. Funding in this subsection shall be prioritized for (i) clients being diverted or discharged from the state psychiatric hospitals; (ii) clients participating in the dangerous mentally ill offender program; (iii) clients participating in the community protection program; and (iv) mental health crisis diversion outplacements. The department shall ensure that the average cost per day for all program services other than start-up costs shall not exceed \$349 in fiscal year 2008 and \$356 in fiscal year 2009. In order to maximize the number of clients served and ensure the cost-effectiveness of the waiver programs, the department will strive to limit new client placement expenditures to 90 percent of the budgeted daily rate. If this can be accomplished, additional clients may be served with excess funds if the total projected carry-forward expenditures do not exceed the amounts estimated. The department shall implement the four new waiver programs such that decisions about enrollment levels and the amount, duration, and scope of services maintain expenditures within appropriations. The department shall electronically report to the appropriate committees of the legislature, within 45 days following each fiscal year quarter, the number of persons served with these additional community services, where they were residing, what kinds of services they were receiving prior to placement, and the actual expenditures for all community services to support these clients.

(e) ~~(\$13,598,000)~~ \$13,198,000 of the general fund--state appropriation for fiscal year 2008, \$16,354,000 of the general fund--state appropriation for fiscal year 2009, and \$8,579,000 of the general fund--federal appropriation are provided solely for family support programs for individuals with developmental disabilities. Of the amounts provided in this subsection (e), ~~(\$1,096,000)~~ \$696,000 of the general fund--state appropriation for fiscal year 2008 and \$3,852,000 of the general fund--state appropriation for fiscal year 2009 are for state-only services for individuals with developmental disabilities, as described in Second Substitute Senate Bill No. 5467 (developmental disabilities). By January 1, 2008, and by November 1, 2008, the department shall provide a status report to the appropriate policy and fiscal committees of the legislature on the individual and family services program for people with developmental disabilities, which shall include the following information: The number of applicants for funding; the total number of awards; the number and amount of both annual and one-time awards, broken down by household income levels; and the purpose of the awards.

(f) ~~(\$1,577,000)~~ \$1,692,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$3,480,000)~~ \$3,645,000 of the general fund--state appropriation for fiscal year 2009, and ~~(\$2,105,000)~~ \$2,397,000 of the general fund--federal appropriation are provided solely for employment and day services. Priority consideration for this new funding shall be young adults with developmental disabilities living with their family who need employment opportunities and assistance after high school graduation. Services shall be provided for both waiver and nonwaiver clients. The legislature finds that some waiver clients are not receiving employment services that are authorized under their waivers. Within the amounts appropriated in this section, waiver clients must receive services as authorized by their waiver, such as pathway to employment, while waiting for paid employment to be developed. The department shall work with the counties to establish a consistent proposed policy for minimum direct service hours for clients, minimum hours of support, time frames for seeking paid employment, and services provided under pathway to employment while paid employment is sought. The department shall report to the office of financial management and the appropriate committees of the legislature on this proposal by November 1, 2008, including estimated fiscal impacts and an option for making the policy budget neutral for the current level

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of clients served. In order to maximize the number of clients served, the department may serve additional nonwaiver clients with unspent funds for waiver clients, provided the total projected carry-forward expenditures do not exceed the amounts estimated.

(g) \$160,000 of the general fund--state appropriation for fiscal year 2008 and \$140,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Second Substitute Senate Bill No. 5467 (developmental disabilities). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(h) ~~(The department shall collect data from the counties related to employment services. This data shall include, but not necessarily be limited to, information pertaining to: (i) The average length of time clients utilize job coaching services, (ii) the percentage of clients utilizing job coaching services from zero to three months, four to six months, seven to nine months, ten to twelve months, and twelve months or more, (iii) within the monthly grouping, the percentage of clients utilizing job coaching services from zero to five hours per week, five to ten hours per week, ten to twenty hours per week, and twenty or more hours per week. This data shall be provided to the appropriate policy committees of the legislature by December 1, 2007.)~~

(i) Amounts appropriated in this subsection are sufficient to increase provider payment rates by 6.0 percent for boarding homes, effective July 1, 2007, ~~((and by an additional 2.0 percent, effective July 1, 2008, for boarding homes;))~~ including those currently receiving exceptional care rates; and by 3.2 percent, effective July 1, 2007, ~~((and by an additional 2.0 percent, effective July 1, 2008;))~~ for adult family homes, including those currently receiving exceptional care rates.

(ii) The department shall implement phase one of full implementation of a seventeen CARE level payment system for community residential providers. Amounts appropriated in this section are sufficient to increase adult family home provider payment rates on average, effective July 1, 2008, including those currently receiving exceptional care rates, and to adjust adult family home rates for the first phase of a seventeen CARE level payment system. Effective July 1, 2008, the provider payment rate allocation for boarding homes contracted as assisted living shall be the provider's June 30, 2008, payment rate allocation, and the provider payment rate for boarding homes contracted as ARCs and EARCs shall be adjusted to reflect phase one of a seventeen CARE level payment system. This will be in effect until such time as the rates are consistent between adult family homes and boarding homes for delivery of the same patient care levels.

(iii) Amounts provided in this section and in section 206 of this act are sufficient to assist adult family home providers with the cost of paying liability insurance.

(i) \$921,000 of the general fund--state appropriation for fiscal year 2009 and \$963,000 of the general fund--federal appropriation are provided solely for the development and implementation of a federal home and community-based care waiver to provide intensive behavior support services to up to one hundred children with developmental disabilities who have intense behaviors, and their families.

(i) To receive services under the waiver, the child must have a developmental disability and: (A) Meet an acuity measure, as determined by the department, indicating that the child is at high risk of needing an out-of-home placement; (B) be eligible for developmental disabilities services and a home and community-based care waiver program; (C) reside in his or her family home or temporarily in an out-of-home placement with a plan to return home; and (D) have family that demonstrates the willingness to participate in the services offered through the waiver, and is not subject to a pending child protective services referral.

(ii) The department shall authorize, contract for, and evaluate the provision of intensive in-home services that support

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the ability of the child to remain at home with their parents or relatives. Intensive behavior support services under the waiver shall be provided directly or by contract, and may include, but are not limited to: (A) Behavior consultation and management, therapies and respite care; (B) minor home or motor vehicle modifications and transportation; (C) specialized nutrition and clothing; (D) training of families and other individuals working with the child; and (E) inclusion in community activities.

(j) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the purpose of settling all claims in the *Washington Federation of State Employees, et. al v. State of Washington*, Thurston County Superior Court Cause No. 05-2-02422-4. The expenditure of this appropriation is contingent on the release of all claims in this case, and total settlement costs shall not exceed the appropriation in this subsection (j). If settlement is not executed by June 30, 2008, the appropriation in this subsection (j) shall lapse.

(k) Within the amounts appropriated in this section, the department shall review current infant-toddler early intervention services statewide and report to the office of financial management by November 1, 2008, and the appropriate committees of the legislature on a recommended consistent funding approach per child for the 2009-11 biennium, recognizing the new level of funding anticipated by school district participation. The recommendations must also include a budget neutral option for the current level of clients served.

(l) \$325,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for state-only employment services for young adults with developmental disabilities who need employment opportunities and assistance after high school graduation.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2008)	<del>(\$78,765,000)</del>
	\$80,469,000
General Fund--State Appropriation (FY 2009)	<del>(\$80,873,000)</del>
	\$80,668,000
General Fund--Federal Appropriation . . . . .	<del>(\$171,836,000)</del>
	\$172,332,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$21,613,000)</del>
	\$22,203,000
Pension Funding Stabilization Account--State	
Appropriation . . . . .	\$5,614,000
	<del>(\$358,701,000)</del>
	\$361,286,000

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

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

(b) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for services provided to community clients provided by licensed professionals at the state rehabilitation centers. The division shall submit claims for reimbursement for services provided to clients living in the community to medical assistance or third-party health care coverage, as appropriate, and shall implement a system for billing clients without coverage.

(c) \$642,000 of the general fund--state appropriation for fiscal year 2008 and \$721,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(3) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2008) . . . . .	<del>(\$2,273,000)</del>
	\$2,262,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$2,377,000)</del>

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	\$2,328,000
General Fund--Federal Appropriation . . . . .	( <del>(\$2,821,000)</del> )
	\$2,812,000
TOTAL APPROPRIATION . . . . .	( <del>(\$7,471,000)</del> )
	\$7,402,000

The appropriations in this subsection are subject to the following conditions and limitations: As part of the needs assessment instrument, the department shall collect data on family income for minor children with developmental disabilities and all individuals who are receiving state-only funded services. The department shall ensure that this information is collected as part of the client assessment process.

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2008) . . . . .	\$17,000
General Fund--State Appropriation (FY 2009) . . . . .	\$15,000
General Fund--Federal Appropriation . . . . .	( <del>(\$16,843,000)</del> )
	\$16,809,000
TOTAL APPROPRIATION . . . . .	( <del>(\$16,875,000)</del> )
	\$16,841,000

Sec. 206. 2007 c 522 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT SERVICES PROGRAM**

General Fund--State Appropriation (FY 2008) ( <del>(\$699,089,000)</del> )	\$700,332,000
General Fund--State Appropriation (FY 2009) ( <del>(\$741,478,000)</del> )	\$753,881,000
General Fund--Federal Appropriation . . . . .	( <del>(\$1,539,010,000)</del> )
	\$1,534,175,000
General Fund--Private/Local Appropriation . . . . .	( <del>(\$19,563,000)</del> )
	\$19,525,000
Pension Funding Stabilization Account--State	
Appropriation . . . . .	\$1,448,000
Health Services Account--State Appropriation (FY 2008)	
. . . . .	\$2,444,000
Health Services Account--State Appropriation (FY 2009)	
. . . . .	\$2,444,000
Traumatic Brain Injury Account--State Appropriation	
. . . . .	( <del>(\$440,000)</del> )
	\$1,212,000
TOTAL APPROPRIATION ( <del>(\$3,005,916,000)</del> )	\$3,015,461,000

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

(1) The entire health services account appropriation, \$10,456,000 of the general fund--state appropriation for fiscal year 2008, \$11,370,000 of the general fund--state appropriation for fiscal year 2009, and \$26,778,000 of the general fund--federal appropriation are provided solely for health care benefits for agency home care workers who are employed through state contracts for at least twenty hours a week. The state contribution to the cost of health care benefits per eligible participating worker per month shall be no greater than \$532.00 in fiscal year 2008 and \$585.00 per month in fiscal year 2009.

(2) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed (~~(\$158.11)~~) \$159.34 for fiscal year 2008 and shall not exceed (~~(\$164.18)~~) \$165.04 for fiscal year 2009, including the rate add-on described in subsection (9) of this section. For all nursing facilities, the direct care, therapy care, support services, and operations component rates established in accordance with chapter 74.46 RCW shall be adjusted for economic trends and conditions by 3.2 percent effective July 1, 2007. For all nursing facilities, adjustments for economic trends and conditions effective July 1, 2008, shall be as specified in subsection (10)(c) of this section.

(3) In accordance with chapter 74.46 RCW, the department shall issue certificates of capital authorization that result in up to \$16,000,000 of increased asset value completed and ready for

occupancy in fiscal year 2008; up to \$16,000,000 of increased asset value completed and ready for occupancy in fiscal year 2009; and up to \$16,000,000 of increased asset value completed and ready for occupancy in fiscal year 2010.

(4) Adult day health services shall not be considered a duplication of services for persons receiving care in long-term care settings licensed under chapter 18.20, 72.36, or 70.128 RCW.

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

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

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

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

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

(6) \$1,840,000 of the general fund--state appropriation for fiscal year 2008 and \$1,877,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operation of the volunteer chore services program.

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

(8) \$125,000 of the general fund--state appropriation for fiscal year 2008, \$125,000 of the general fund--state appropriation for fiscal year 2009, and \$250,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(9) (~~(\$8,755,000)~~) \$3,000,000 of the general fund--state appropriation for fiscal year 2009 and \$3,134,000 of the general fund--federal appropriation are provided solely to increase compensation for low-wage workers in nursing homes beginning July 1, 2008. Within the funds provided, the department shall provide an add-on per resident day per facility based on the total funding divided by the total number of fiscal year 2009 medicaid patient days as forecasted by the caseload forecast council, not to exceed \$1.57. The department may reduce the level of add-on if necessary to fit within this appropriation if the caseload forecasted days increase from the February 2008 forecast. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2006, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. The department shall implement reporting requirements and a settlement process to ensure that the funds are spent according to this subsection. The department shall adopt rules to implement the terms of this subsection.

(10) \$2,115,000 of the general fund--state appropriation for fiscal year 2008, \$6,640,000 of the general fund--state

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appropriation for fiscal year 2009, and ~~(\$9,348,000)~~ \$9,152,000 of the general fund--federal appropriation are provided solely to increase nursing facility payment rates.

~~((b)) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$125,000 of the general fund--federal appropriation are provided solely for the department to contract with an outside entity to review the current medicaid payment methodology for nursing facilities and make recommendations for revisions to, restructuring of, or replacement of the existing payment methodology no later than October 1, 2007, to the governor and the appropriate fiscal and policy committees of the legislature.~~

~~(c) A joint legislative task force on long-term care residential facility payment systems shall review and develop recommendations related to payment methodologies for the care of medicaid-eligible residents of nursing homes, boarding homes, and adult family homes in Washington state.~~

~~(i) Membership of the task force shall consist of eight legislators. The president of the senate shall appoint two members from each of the two largest caucuses of the senate. The speaker of the house of representatives shall appoint two members of each of the two largest caucuses of the house of representatives. Each body shall select representatives from committees with jurisdiction over health and long-term care and fiscal matters.~~

~~(ii) The task force shall give strong consideration to the following principles in the course of its deliberations:~~

~~(A) A continuum of residential care settings should be available to medicaid-eligible vulnerable adults so as to honor consumer choice;~~

~~(B) Payment methodologies for care provided in adult family homes, boarding homes, and nursing homes should be based upon resident acuity, with payment rates that recognize the impact of differing state and federal regulatory requirements upon facility costs, but also address current disparities in payments to facilities serving residents with similar nursing or personal care needs;~~

~~(C) Payment methodologies should be designed to support retention of qualified direct care staff through training, wages, and benefits offered to direct care staff, with special consideration given to nursing homes, boarding homes, and adult family homes that care for a disproportionate number of medicaid-eligible residents relative to their peer facilities;~~

~~(D) Performance measures related to critical issues such as staff retention and resident outcomes should be developed, with payment linked to facility performance on the measures; and~~

~~(E) Payment methodologies should be simplified, with greater predictability and stability in payments.~~

~~(iii) The task force shall:~~

~~(A) Review and consider the recommendations submitted in accordance with (b) of this subsection;~~

~~(B) Consider input from long-term care stakeholders with respect to the principles in (c)(ii) of this subsection;~~

~~(C) Review the current payment methodologies for nursing homes, boarding homes, and adult family homes, giving strong consideration to the principles in (c)(ii) of this subsection, and make recommendations for revisions to, restructuring of, or replacement of existing payment methodologies. The recommendations related to payments made in fiscal year 2009 shall be consistent with the amounts appropriated in this subsection.~~

~~(iv) The task force shall complete its review and submit its recommendations to the appropriate policy and fiscal committees of the legislature by December 31, 2007.~~

~~(v) Staff support for the task force shall be provided by senate committee services and the house of representatives office of program research.~~

~~(vi) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120.~~

~~(vii) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committees, or their successor committees.~~

~~(viii) The task force expires December 31, 2007.)~~

~~(a) Of the amounts provided in this subsection, \$297,000 of the general fund--state appropriation for fiscal year 2008, \$364,000 of the general fund--state appropriation for fiscal year 2009, and \$691,000 of the general fund--federal appropriation are provided solely to provide funding for direct care rates required by Senate Bill No. 6629 (nursing facility payment systems). If the bill is not enacted by June 30, 2008, then the amounts provided in this subsection (10)(a) shall lapse.~~

~~(b) Of the amounts provided in this subsection, \$1,818,000 of the general fund--state appropriation for fiscal year 2008, \$1,552,000 of the general fund--state appropriation for fiscal year 2009, and \$3,526,000 of the general fund--federal appropriation are provided solely to fund projected increases in the weighted average nursing facility payment rates for fiscal years 2008 and 2009 due to appeals, client acuity, capital projects, bed changes, and other adjustments to cost projections deemed necessary by the department.~~

~~(c) The remaining amounts provided in this subsection of \$4,724,000 general fund--state for fiscal year 2009 and \$4,935,000 general fund--federal are provided solely for an adjustment for economic trends and conditions of 1.99 percent for direct care, therapy care, support services, and operations effective July 1, 2008.~~

~~(11) \$180,000 of the general fund--state appropriation for fiscal year 2009 and \$170,000 of the general fund--federal appropriation are provided solely for a review of the costs and benefits of a fair rental system to reimburse capital expenditures. The department must report its findings to the fiscal committees of the legislature and the office of financial management by July 1, 2009.~~

~~((10)) (12) Within amounts appropriated in this section, the department is authorized to expand the number of boarding homes and adult family homes that receive exceptional care rates for persons with Alzheimer's disease and related dementias who might otherwise require nursing home care. The department may expand the number of licensed boarding home facilities that specialize in caring for such conditions by up to 100 beds. Effective July 1, 2008, the department shall be authorized to provide adult family homes that specialize in caring for such conditions with exceptional care rates for up to 50 beds. The department will develop standards for adult family homes to qualify for such exceptional care rates in order to enhance consumer choice.~~

~~((11)) (13) \$500,000 of the general fund--state appropriation for fiscal year 2008, \$500,000 of the general fund--state appropriation for fiscal year 2009, and \$816,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Substitute House Bill No. 2111 (adult family homes). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.~~

~~((12) \$440,000) (14) \$1,212,000 of the traumatic brain injury account--state appropriation is provided solely for the implementation of Second Substitute House Bill No. 2055 (traumatic brain injury). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.~~

~~((13)) (15) Within amounts appropriated in this section and in section 205 of this act, the department of social and health services shall:~~

~~(a) Determine how geographic differences in community residential provider payments affect provider and workforce turnover;~~

~~(b) Examine alternative community residential provider payment systems that account for differences in direct care labor costs in various areas of the state, including alternative peer~~

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groupings in its payment systems that take such factors into account; and

(c) Submit a report of its findings and recommendations to the office of financial management and to the appropriate fiscal committees of the legislature by June 30, 2008.

~~((14))~~ (16)(a) Amounts appropriated in this section are sufficient to increase provider payment rates by 6.0 percent for boarding homes, effective July 1, 2007, ~~((and by an additional 2.0 percent, effective July 1, 2008, for boarding homes,))~~ including those currently receiving exceptional care rates; and by 3.2 percent, effective July 1, 2007, ~~((and by an additional 2.0 percent, effective July 1, 2008,))~~ for adult family homes, including those currently receiving exceptional care rates.

(b) The department shall implement phase one of full implementation of a seventeen CARE level payment system for community residential providers. Amounts appropriated in this section are sufficient to increase adult family home provider payment rates on average, effective July 1, 2008, including those currently receiving exceptional care rates, and to adjust adult family home rates for the first phase of a seventeen CARE level payment system. Effective July 1, 2008, the provider payment rate allocation for boarding homes contracted as assisted living shall be the provider's June 30, 2008, payment rate allocation, and the provider payment rate for boarding homes contracted as ARCs and EARCs shall be adjusted to reflect phase one of a seventeen CARE level payment system. This will be in effect until such time as the rates are consistent between adult family homes and boarding homes for delivery of the same patient care levels.

(c) Amounts provided in this section and in section 205 of this act are sufficient to assist adult family home providers with the cost of paying liability insurance.

~~((15))~~ (17) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--federal appropriation are provided solely for the department contract for an evaluation of training requirements for long-term care workers as generally described in Second Substitute House Bill No. 2284 (training of care providers).

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

(19) \$2,463,000 of the general fund--state appropriation for fiscal year 2009 and \$1,002,000 of the general fund--federal appropriation are provided solely to implement sections 4 and 8 of Engrossed Second Substitute House Bill No. 2668 (long-term care programs). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(20) \$40,000 of the general fund--state appropriation for fiscal year 2009 and \$40,000 of the general fund--federal appropriation are provided solely to implement Second Substitute Senate Bill No. 6220 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute House Bill No. 2668 (long-term care programs). If neither bill is enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(21) \$839,000 of the general fund--state appropriation for fiscal year 2009 and \$838,000 of the general fund--federal appropriation are provided solely for the implementation of Substitute House Bill No. 2693 (required basic training and certification of long-term care workers). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(22) Within the funds appropriated in the section, the department shall establish one statewide hourly rate to reimburse home care agencies for the costs related to state clients for hours worked by direct care workers in receiving mandatory training. The statewide hourly rate shall be based on the hourly wage paid to individual providers plus mandatory taxes plus an adjustment based on the formula created under RCW 74.39A.310.

Sec. 207. 2007 c 522 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES PROGRAM**

General Fund--State Appropriation (FY 2008) <del>(((\$592,774,000))</del>	\$586,369,000
General Fund--State Appropriation (FY 2009) <del>(((\$627,148,000))</del>	\$619,066,000
General Fund--Federal Appropriation . . . . . <del>(((\$1,053,264,000))</del>	\$1,037,038,000
General Fund--Private/Local Appropriation . . . . . <del>(((\$27,920,000))</del>	\$30,833,000
Pension Funding Stabilization Account--State	
Appropriation . . . . .	\$4,592,000
	<b>TOTAL APPROPRIATION <del>(((\$2,305,698,000))</del></b>
	<b>\$2,277,898,000</b>

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

(1) ~~(((\$334,377,000))~~ \$344,694,000 of the general fund--state appropriation for fiscal year 2008, ~~(((\$347,597,000))~~ \$363,284,000 of the general fund--state appropriation for fiscal year 2009, and ~~(((\$827,774,000))~~ \$733,276,000 of the general fund--federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. Within the amounts provided for the WorkFirst program, the department shall:

(a) Establish a ~~((post-FANF))~~ career services work transition program;

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

(c) Submit a report by October 1, 2007, to the fiscal committees of the legislature containing a spending plan for the WorkFirst program. The plan shall identify how spending levels in the 2007-2009 biennium will be adjusted to stay within available federal grant levels and the appropriated state-fund levels;

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

(e) For fiscal year 2009, increase the temporary assistance for needy families grant standard by three percent to account for increased housing costs.

(2) Up to \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 of the amounts in subsection (1) of this section are for the WorkFirst pathway to engagement program. The department shall collaborate with community partners and represented staff to identify additional services needed for WorkFirst clients in sanction status. The department shall contract with qualified community-based organizations to deliver such services, provided that such services are complimentary to the work of the department and are not intended to supplant existing staff or services. The department shall also contract with community-based organizations for the provision of services for WorkFirst clients who have been terminated after six months of sanction. Contracts established pursuant to this subsection shall have a performance-based component and shall include both presanction termination and

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postsanction termination services. Clients shall be able to choose whether or not to accept the services. The department shall develop outcome measures for the program related to outreach and reengagement, reduction of barriers to employment, and client feedback and satisfaction. Nothing in this subsection is intended to modify a collective bargaining agreement under chapter 41.80 RCW or to change the state's responsibility under chapter 41.80 RCW. The department shall report to the appropriate policy and fiscal committees of the legislature by December 1, 2007, on program implementation and outcomes. The department also shall report on implementation of specialized caseloads for clients in sanction status, including average caseload size, referral process and criteria, and expected outcomes for specialized caseloads.

(3) \$210,000 of the general fund--state appropriation for fiscal year 2008, \$187,000 of the general fund--state appropriation for fiscal year 2009, and \$396,000 of the general fund--federal appropriation are provided solely for implementation of section 8 of Second Substitute House Bill No. 1088 (children's mental health). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(4) \$152,000 of the general fund--state appropriation for fiscal year 2008, \$96,000 of the general fund--state appropriation for fiscal year 2009, and \$482,000 of the general fund--federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (child support schedule). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(5) \$750,000 of the general fund--state appropriation for fiscal year 2008 and \$750,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to increase naturalization services. These amounts shall supplement and not supplant state and federal resources currently provided by the department for this purpose.

(6) \$1,500,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to increase limited English proficiency pathway services. These amounts shall supplement and not supplant state and federal resources currently provided by the department for this purpose.

(7) \$250,000 of the general fund--state appropriation for fiscal year 2008, \$5,782,000 of the general fund--state appropriation for fiscal year 2009, and \$6,431,000 of the general fund--federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5244 (deficit reduction act). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(8) Within amounts appropriated in this section, the department shall: (a) Increase the state supplemental payment by \$1.77 per month beginning July 1, 2007, and by an additional \$1.83 per month beginning July 1, 2008, for SSI clients who reside in nursing facilities, residential habilitation centers, or state hospitals and who receive a personal needs allowance; and (b) decrease other state supplemental payments.

(9) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the department for the data tracking provisions specified in sections 701 and 702 of Second Substitute Senate Bill No. 5470 (dissolution proceedings). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(10) \$1,552,000 of the general fund--state appropriation for fiscal year 2008 and \$1,552,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Second Substitute Senate Bill No. 6016 (workfirst program). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(11) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the

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department to award grants to small mutual assistance associations or small community-based organizations that contract with the department for immigrant and refugee assistance services. The funds shall be awarded to demonstrate the impact of providing funding for a case worker in the community organization on the refugees' economic self-sufficiency through the effective use of social services, and financial and medical assistance.

(12) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute Senate Bill No. 6483 (local food production). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(13) \$1,100,000 of the general fund--state appropriation for fiscal year 2009 and \$850,000 of the general fund--federal appropriation are provided solely to increase the gross income limits for eligibility for programs authorized under RCW 74.04.500 and 74.08A.120 to 200 percent of the federal poverty level. The department shall adjust its rules and information technology systems to make the eligibility change effective October 1, 2008.

(14) The department, in conjunction with the House Bill No. 1290 work group, shall identify and analyze barriers preventing city, county, and state referrals of persons potentially eligible for expedited application processing authorized under RCW 74.09.555. The department, in conjunction with the House Bill No. 1290 work group, shall report its findings and recommendations to the appropriate committees of the legislature no later than November 15, 2008.

(15) \$656,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to the department to increase immigration and naturalization services. These funds shall not supplant state and federal resources currently provided by the department for this purpose.

Sec. 208. 2007 c 522 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$69,445,000)</del>
	\$69,252,000
General Fund--State Appropriation (FY 2009)	<del>(\$69,663,000)</del>
	\$74,467,000
General Fund--Federal Appropriation . . . . .	<del>(\$138,942,000)</del>
	\$149,196,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$632,000)</del>
	\$6,083,000
Criminal Justice Treatment Account--State Appropriation	
.....	<del>(\$17,752,000)</del>
	\$18,555,000
Violence Reduction and Drug Enforcement Account--State	
Appropriation (FY 2008) . . . . .	<del>(\$24,538,000)</del>
	\$22,186,000
Violence Reduction and Drug Enforcement Account--State	
Appropriation (FY 2009) . . . . .	<del>(\$24,538,000)</del>
	\$22,186,000
Problem Gambling Account--State	
Appropriation . . . . .	<del>(\$1,567,000)</del>
	\$1,464,000
Public Safety and Education Account--State	
Appropriation (FY 2008) . . . . .	<del>(\$1,044,000)</del>
	\$3,396,000
Public Safety and Education Account--State	
Appropriation (FY 2009) . . . . .	<del>(\$1,043,000)</del>
	\$3,395,000
Pension Funding Stabilization Account--State	
Appropriation . . . . .	\$146,000
TOTAL APPROPRIATION	<del>(\$349,310,000)</del>
	\$370,326,000

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

(1) \$2,786,000 of the general fund--state appropriation for fiscal year 2008 and \$2,785,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the parent child assistance program. The department shall contract with the University of Washington and community-based providers for the provision of this program. For all contractors, indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(2) \$11,113,000 of the general fund--state appropriation for fiscal year 2008, \$14,490,000 of the general fund--state appropriation for fiscal year 2009, and \$14,269,000 of the general fund--federal appropriation are provided solely for the expansion of chemical dependency treatment services for adult medicaid eligible and general assistance-unemployable patients authorized under the 2005-07 biennial appropriations act. By September 30, 2007, the department shall submit an expenditure and program report relating to the patients receiving treatment and other services pursuant to the funding provided in this subsection (2), as well as to other patients receiving treatment funded by the department. The report shall be submitted to the office of financial management and the appropriate policy and fiscal committees of the legislature. Subsequent updates to this report shall be provided by January 31 and July 31 of each fiscal year of the 2007-09 biennium. The reports shall include, but not necessarily be limited to, the following information: (a) The number and demographics (including categories) of patients served; (b) geographic distribution; (c) modality of treatment services provided (i.e. residential or out-patient); (d) treatment completion rates; (e) funds spent; and (f) where applicable, the estimated cost offsets in medical assistance on a total and per patient basis.

(3) \$698,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$698,000)~~ \$1,060,000 of the general fund--state appropriation for fiscal year 2009, and \$154,000 of the general fund--federal appropriation are provided solely for the expansion authorized under the 2005-07 biennial appropriations act of chemical dependency treatment services for minors who are under 200 percent of the federal poverty level. The department shall monitor the number and type of clients entering treatment, for purposes of determining potential cost offsets.

(4) \$250,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$250,000)~~ \$145,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to contract for the following: ~~((a) A pilot program in Pierce county for family therapeutic court services that include chemical dependency treatment with use of the prometa protocol; and (b) an independent evaluator to evaluate the efficacy of the treatment with the prometa protocol under the pilot program as compared to other drug treatment and to no treatment))~~ (a) To continue an existing pilot program in Pierce county limited to individuals who began chemical dependency treatment using the prometa protocol prior to March 11, 2008; and (b) to contract with an independent evaluator who will, to the extent possible, evaluate the Pierce county pilot, as well as summarize other research on the efficacy of the prometa protocol.

(5) \$4,449,000 of the general fund--state appropriation for fiscal year 2009 and \$1,000,000 of the criminal justice treatment account appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 6665 (crisis response), to continue existing pilot programs and to expand the intensive crisis response pilot to Spokane county. The continuation and expansion of the pilot programs expires June 30, 2009. If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

Sec. 209. 2007 c 522 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE PROGRAM**

General Fund--State Appropriation (FY 2008)	(( <del>\$1,589,266,000</del> ))
.....	\$1,602,827,000
General Fund--State Appropriation (FY 2009)	(( <del>\$1,665,304,000</del> ))
.....	\$1,669,581,000
General Fund--Federal Appropriation	(( <del>\$4,305,197,000</del> ))
.....	\$4,344,748,000
General Fund--Private/Local Appropriation	\$2,000,000
Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation	\$15,076,000
Health Services Account--State Appropriation (FY 2008)	(( <del>\$350,259,000</del> ))
.....	\$388,946,000
Health Services Account--State Appropriation (FY 2009)	(( <del>\$385,215,000</del> ))
.....	\$421,762,000
Tobacco Prevention and Control Account--State Appropriation	\$1,883,000
Pension Funding Stabilization Account--State Appropriation	\$646,000
TOTAL APPROPRIATION	(( <del>\$8,312,963,000</del> ))
	\$8,447,469,000

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

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

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

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

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

(5) In accordance with RCW 74.46.625, \$6,000,000 of the general fund--federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the department's discretion. During either the interim cost settlement or the final cost settlement, the department shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The department shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

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(6) \$1,111,000 of the health services account appropriation for fiscal year 2008, \$1,110,000 of the health services account appropriation for fiscal year 2009, \$5,402,000 of the general fund--federal appropriation, \$1,590,000 of the general fund--state appropriation for fiscal year 2008, and \$1,591,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for grants to rural hospitals. The department shall distribute the funds under a formula that provides a relatively larger share of the available funding to hospitals that (a) serve a disproportionate share of low-income and medically indigent patients and (b) have relatively smaller net financial margins, to the extent allowed by the federal medicaid program.

(7) \$10,546,000 of the health services account appropriation for fiscal year 2008, \$10,546,000 of the health services account--state appropriation for fiscal year 2009, and \$19,725,000 of the general fund--federal appropriation are provided solely for grants to nonrural hospitals. The department shall distribute the funds under a formula that provides a relatively larger share of the available funding to hospitals that (a) serve a disproportionate share of low-income and medically indigent patients and (b) have relatively smaller net financial margins, to the extent allowed by the federal medicaid program.

(8) The department shall continue the inpatient hospital certified public expenditures program for the 2007-2009 biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The department shall submit ~~(a)~~ reports to the governor and legislature by November 1, 2007, and by November 1, 2008, that evaluate ~~(s)~~ whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the department shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2008 and fiscal year 2009, hospitals in the program shall be paid and shall retain (a) one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance; and (b) one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount ~~((that is the total of (a) the total payment for claims for services rendered during the fiscal year calculated according to the methodology employed by the legislature in the omnibus appropriations act for implementation in fiscal year 2008)).~~ The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program, and (b) disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 that pertain to fiscal year 2005. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and ~~(s)~~ distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim (cost) settlement within eleven months after the end of the fiscal year. A final (cost) settlement shall be performed within two years after the end of the related fiscal year. To the extent that (a final cost) either settlement determines that a

hospital has received funds in excess of what it would have received ~~((under the methodology in place in fiscal year 2008))~~ as described in this subsection, the hospital must repay ~~((these))~~ the excess amounts to the state when requested. ((~~\$74,066,000~~)) \$61,728,000 of the general fund--state appropriation for fiscal year 2008, of which \$6,570,000 is appropriated in section 204(1) of this act and the balance in this section, and ~~((~~\$59,776,000~~))~~ \$57,894,000 of the general fund--state appropriation for fiscal year 2009, of which \$6,570,000 is appropriated in section 204(1) of this act and the balance in this section, are provided solely for state grants for the participating hospitals.

(9) ~~((~~\$7,314,000~~))~~ \$4,399,000 of the general fund--state appropriation for fiscal year 2008, ~~((~~\$7,800,000~~))~~ \$6,391,000 of the general fund--state appropriation for fiscal year 2009, and ~~((~~\$48,995,000~~))~~ \$55,384,000 of the general fund--federal appropriation are provided solely for development and implementation of a replacement system for the existing medicaid management information system. The amounts are conditioned on the department satisfying the requirements of section 902 of this act.

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

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

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

(13) The department shall, within available resources, continue operation of the medical care services care management pilot project for clients receiving general assistance benefits in King and Pierce counties. The project may use a full or partial capitation model that includes a mechanism for shared savings.

(14) \$1,688,000 of the general fund--state appropriation for fiscal year 2008 and \$1,689,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to incorporate a mental health service component to the pilot project established pursuant to subsection (13) of this section. Addition of the mental health service component authorized in this subsection is contingent upon the managed care contractor or the participating counties providing, alone or in combination, matching funds in cash or in kind, in an amount equal to one-ninth of the amounts appropriated in this subsection. The mental health service component may include care coordination, mental health services, and integrated medical and mental health service delivery for general assistance clients with mental health disorders, as well as primary care provider training and education. The department shall provide a report to the appropriate committees of the legislature by January 1, 2009, on costs, savings, and any outcomes or quality measures associated with the pilot projects during calendar year 2007 and 2008. To the extent possible, the report shall address any impact that the mental health services component has had upon clients' use of medical services, including but not limited to primary care physician's visits, emergency room utilization, and prescription drug utilization.

(15) \$341,000 of the health services account appropriation for fiscal year 2008, \$1,054,000 of the health services account appropriation for fiscal year 2009, and \$1,461,000 of the general fund--federal appropriation are provided solely to implement Second Substitute House Bill No. 1201 (foster care youth medical). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(16) ~~((~~\$6,529,000~~))~~ \$6,728,000 of the general fund--state appropriation for fiscal year 2008 and ~~((~~\$6,651,000~~))~~



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\$8,563,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to provide full benefit dual eligible beneficiaries with medicare part D prescription drug copayment coverage in accordance with chapter 3, Laws of 2007 (part D copayment drug program).

(17) The department shall conduct a study to determine the financial impact associated with continuing to cover brand name medications versus the same medication in its generic form. The study shall account for all rebates paid to the state on each product studied up until the point where the generic form is less expensive, net of federally required rebates. The department shall submit its report to the legislative fiscal committees by December 1, 2007.

(18) \$198,000 of the general fund--state appropriation for fiscal year 2008 and \$268,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the first two years of a four-year project by the Seattle-King county health department to improve management of symptoms and reduce complications related to asthma among medicaid eligible children. The department shall contract with the Seattle-King county health department to have trained community health workers visit medicaid eligible children in their homes to identify and reduce exposure to asthma triggers, improve clients' self-management skills, and coordinate clients' care with their primary care and specialty providers. The contract shall include an evaluation of the impact of the services provided under the contract on urgent physician's visits, emergency room utilization, and inpatient hospitalization.

(19) ~~(\$2,450,000)~~ \$1,529,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$1,950,000)~~ \$2,871,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for development and implementation of an outreach program as provided in chapter 5, Laws of 2007 (Second Substitute Senate Bill No. 5093, health services for children).

(a) By December 15, 2007, the department shall provide a report to the appropriate committees of the legislature on the progress of implementing the following activities:

~~((+))~~ (i) Feasibility study and implementation plan to develop online application capability that is integrated with the department's automated client eligibility system;

~~((+))~~ (ii) Development of data linkages with the office of superintendent of public instruction for free and reduced-price lunch enrollment information and the department of early learning for child care subsidy program enrollment information;

~~((+))~~ (iii) Informing insurers and providers when their enrollees' eligibility is going to expire so insurers and providers can help families reenroll;

~~((+))~~ (iv) Outreach contracts with local governmental entities, community based organizations, and tribes;

~~((+))~~ (v) Results of data sharing with outreach contractors, and other contracted entities such as local governments, community-based organizations, tribes, health care providers, and insurers to engage, enroll, and reenroll identified children;

~~((+))~~ (vi) Results of efforts to maximize federal matching funds, wherever possible; and

~~((+))~~ (vii) Plans for sustaining outreach programs proven to be successful.

(b)(i) Within the amounts provided under this subsection (19), sufficient funding is provided to the department to develop and implement in conjunction with the employment security department a plan that would:

(A) Allow applicants and recipients of unemployment insurance to request assistance with obtaining health coverage for household members; and

(B) Authorize the exchange of information between the employment security department and the department of social and health services to more efficiently determine eligibility for health coverage under chapter 74.09 RCW.

(ii) The plan developed in (b)(i) of this subsection should address permissible uses of federal employment security funding

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and infrastructure, identification of any necessary statutory changes, and cost information. The department shall submit the plan in a report to the governor and the appropriate committees of the legislature by November 15, 2008.

(20) \$640,000 of the general fund--state appropriation for fiscal year 2008 and \$616,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to:

(a) Pay the premiums associated with enrollment in a medicare advantage plan for those full benefit dual eligible beneficiaries, as defined in RCW 74.09.010, who were enrolled on or before November 14, 2006 in a medicare advantage plan sponsored by an entity accredited by the national committee for quality assurance and for whom the department had been paying Part C premium as of November 2006; and

(b) Undertake, directly or by contract, a study to determine the cost-effectiveness of paying premiums for enrollment of full benefit dual eligible beneficiaries in medicare advantage plans in lieu of paying full benefit dual eligible beneficiaries' medicare cost-sharing. The study shall compare the cost and health outcomes experience, including rates of nursing home placement and costs for groups of full benefit dual eligible beneficiaries who are enrolled in medicare advantage plans, in medicare special needs plan or in medicare fee-for-service. The study shall compare the health status and utilization of health and long-term care services for the three groups, and the impact of access to a medical home and specialty care, over a period of two years to determine any differences in health status, health outcomes, and state expenditures that result. The department shall submit the results of the study to the governor and the legislature by June 30, 2009. The department is authorized to accept private cash and in-kind donations and grants to support the study and evaluation.

(c) Track enrollment and expenditures for this population on department monthly management reports.

(21) The department may not transition to managed care delivery any population that has been primarily served under fee-for-service delivery unless the department first conducts a cost-effectiveness evaluation of the transition, including an evaluation of historical data on utilization patterns, and finds that the transition would result in a more effective and cost-efficient form of service delivery, pursuant to RCW 74.09.470. Any such finding must be provided to the governor and the legislature no less than ninety days before the transition begins.

(22) \$756,000 of the general fund--state appropriation for fiscal year 2008, \$1,193,000 of the general fund--state appropriation for fiscal year 2009, \$1,261,000 of the health services account--state appropriation for fiscal year 2009, and \$2,448,000 of the general fund--federal appropriation are provided solely to implement sections 5, 7, 8, and 11 of Second Substitute House Bill No. 1088 (children's mental health). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((22))~~ (23) \$288,000 of the general fund--state appropriation for fiscal year 2008, \$277,000 of the general fund--state appropriation for fiscal year 2009, and \$566,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon comm/health care). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((23) \$150,000)~~ (24) \$45,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the department of social and health services, in consultation with the health care authority and the employment security department, to prepare and submit a report and recommendations to the governor and the legislature related to coverage of low-wage workers enrolled on state plans who are employed by employers with more than fifty employees. The report shall address multiple approaches, including but not limited to the proposal included in House Bill No. 2094 (taxpayer health care fairness act). The discussion of each approach included in the report

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should identify how the approach would further the goal of shared responsibility for coverage of low-wage workers, obstacles to implementation and options to address them, and estimated implementation costs. The report shall be submitted on or before November 15, 2007. The agencies shall establish a workgroup, which shall be closely involved and consulted in the development of the report and recommendations under this subsection. The workgroup shall include the following participants: Persons or organizations representing large employers in the retail, agricultural and grocery trades, other large employers, organizations representing employees of large employers, organizations representing low-wage employees of large employers, state and local governmental entities as employers, and organizations representing employees of state and local governmental entities. In addition, the workgroup shall include three members from each of the two largest caucuses of the house of representatives, appointed by the speaker, and three members from each of the two largest caucuses of the senate, appointed by the president of the senate.

(25) \$1,883,000 of the tobacco prevention and control account--state appropriation and \$1,742,000 of the general fund--federal appropriation are for the provision of smoking cessation benefits pursuant to Senate Bill No. 6421 (smoking cessation). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(26) As part of the five-year plan on state purchasing to improve health care quality under chapter 259, Laws of 2007, the department, in collaboration with the department of health, shall provide a report to the appropriate committees of the legislature outlining a strategy to improve immunization rates for all children in the state, including but not limited to vaccine administration fee increases and pay-for-performance incentives. The department shall submit the report to the governor and the health policy and fiscal committees of the legislature by November 1, 2008.

(27) Within existing funds, the department shall evaluate the fiscal impact of the federal upper limits on medicaid reimbursement to pharmacies implemented under the federal deficit reduction act, and report its findings to the legislature by December 1, 2008.

(28)(a) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a feasibility study to examine processes and systems that would expeditiously link persons released from confinement in state and local correctional facilities and institutions for mental diseases to medical assistance benefits for which they qualify. The study shall present an analysis of the costs and benefits associated with:

(i) Suspending eligibility for persons who were receiving medical assistance at the time their confinement began, such that upon the person's release from confinement, medical assistance benefits would immediately resume without the filing of a new application. In the evaluation of eligibility suspension, the department shall examine process modifications that would allow confined persons to recertify eligibility before or immediately after release from confinement;

(ii) Improving the efficiency and expanding the scope of the expedited medical assistance reinstatement and eligibility determination process established under RCW 74.09.555, including extending the process to persons other than those with mental disorders, both for persons who had been previously eligible before confinement and for persons who had not been eligible before confinement;

(iii) Providing medical and mental health evaluations to determine disability for purposes of the medical assistance program before the person's release from confinement; and

(iv) Notifying the department in a timely manner when a person who has been enrolled in medical assistance is confined in a state correctional institution or institution for mental diseases or is released from confinement.

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(b) In conducting the study, the department shall collaborate with the Washington association of sheriffs and police chiefs, the department of corrections, the regional support networks, department field offices, institutions for mental diseases, and correctional institutions. The department shall submit the study to the governor and the legislature by November 15, 2008.

(29) \$165,000 of the general fund--state appropriation for fiscal year 2009, \$269,000 of the health services account--state appropriation for fiscal year 2009, and \$425,000 of the general fund--federal appropriation are provided solely for lead blood level assessments under chapter 74.09 RCW for any eligible children younger than twenty-one years old in accordance with early and periodic screening and diagnostic treatment services as defined in section 1905 of Title XIX of the federal social security act and its implementing regulations and guidelines.

(30) \$50,000 of the general fund--state appropriation for fiscal year 2009 and \$50,000 of the general fund--federal appropriation are provided solely for implementation of the agency's responsibilities in Engrossed Second Substitute House Bill No. 2549 (patient-centered primary care). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(31) \$50,000 of the general fund--state appropriation for fiscal year 2009 and \$50,000 of the general fund--federal appropriation are provided solely for the senior dental access project pursuant to Engrossed Second Substitute House Bill No. 2668 (long term care programs). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

Sec. 210. 2007 c 522 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL REHABILITATION PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$12,986,000)</del>
	\$11,543,000
General Fund--State Appropriation (FY 2009)	<del>(\$14,336,000)</del>
	\$12,323,000
General Fund--Federal Appropriation . . . . .	<del>(\$90,886,000)</del>
	\$92,975,000
Telecommunications Devices for the Hearing and Speech Impaired--State Appropriation . . . . .	<del>(\$1,793,000)</del>
	\$1,975,000
Pension Funding Stabilization Account--State Appropriation . . . . .	\$116,000
TOTAL APPROPRIATION	<del>(\$120,117,000)</del>
	\$118,932,000

Sec. 211. 2007 c 522 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$51,103,000)</del>
	\$52,506,000
General Fund--State Appropriation (FY 2009)	<del>(\$54,219,000)</del>
	\$54,549,000
TOTAL APPROPRIATION	<del>(\$105,322,000)</del>
	\$107,055,000

The appropriations in this section are subject to the following conditions and limitations: \$83,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Substitute House Bill No. 2756 (commitment center calls). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 212. 2007 c 522 s 212 (uncodified) is amended to read as follows:

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**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$35,438,000)</del>	\$40,502,000
General Fund--State Appropriation (FY 2009)	<del>(\$36,504,000)</del>	\$41,125,000
General Fund--Federal Appropriation	<del>(\$64,730,000)</del>	\$64,805,000
General Fund--Private/Local Appropriation	<del>(\$810,000)</del>	\$1,526,000
Public Safety and Education Account--State Appropriation (FY 2008)	<del>(\$1,226,000)</del>	\$700,000
Public Safety and Education Account--State Appropriation (FY 2009)	<del>(\$1,226,000)</del>	\$1,752,000
Pension Funding Stabilization Account--State Appropriation		\$1,408,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2008)		\$913,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2009)	<del>(\$926,000)</del>	\$917,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$143,181,000)</b></del>	<b>\$153,648,000</b>

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

(1) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the expansion of the Washington state mentors program, which provides technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$1,750,000 of the general fund--state appropriation for fiscal year 2008 and \$1,750,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington council for prevention of child abuse and neglect to expand its home visitation program.

(3) \$150,000 of the general fund--state appropriation for fiscal year 2008 and \$150,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the family policy council for distribution as grants to community networks in counties with county juvenile courts participating in decategorization of funding through the juvenile rehabilitation administration. The council shall provide grants of up to \$50,000 per fiscal year to the Pierce County-Tacoma urban community network and additional community networks supporting counties or groups of counties in evaluating programs funded through a block grant by the juvenile rehabilitation administration. Funds not used for grants to community networks supporting counties or groups of counties participating in the decategorization block grants shall lapse.

(4) \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for funding of the teamchild project through the governor's juvenile justice advisory committee.

(5) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$85,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the continuation of the postpartum depression campaign, including the design and production of brochures in various languages, a radio public service announcement, and other outreach and training efforts.

(6) \$200,000 of the general fund--state appropriation for fiscal year 2008 and \$200,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to expand and enhance the juvenile detention alternatives initiative. This funding is intended to add three new program sites, support the

addition of a data analyst, and to provide resources for the state to participate in annual national conferences.

(7) ~~(\$144,000)~~ \$95,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$111,000)~~ \$87,000 of the general fund--state appropriation for fiscal year 2009, and ~~(\$136,000)~~ \$101,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1422 (incarcerated parents). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(8) \$12,000 of the general fund--state appropriation for fiscal year 2009 and \$7,000 of the general fund--federal appropriation are provided solely for the implementation of chapter 465, Laws of 2007.

(9) \$196,000 of the general fund--state appropriation for fiscal year 2008, \$804,000 of the general fund--state appropriation for fiscal year 2009, and \$581,000 of the general fund--federal appropriation are provided solely for the development of a project plan, time line, and budget plan for a more flexible payment system for independent home care providers and others who collectively bargain for wages and benefits. The legislature finds the amounts provided are sufficient to fund the following related to a timely and expeditious transition to a more flexible provider payroll system: (a) An appropriate request for proposal; and (b) collection of the information necessary to develop the budget proposal needed to seek budget authority for the system.

(10) \$49,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the family policy council to establish a new network in Skagit county.

Sec. 213. 2007 c 522 s 213 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$59,460,000)</del>	\$59,085,000
General Fund--State Appropriation (FY 2009)	<del>(\$59,497,000)</del>	\$60,121,000
General Fund--Federal Appropriation	<del>(\$57,255,000)</del>	\$57,438,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$176,212,000)</b></del>	<b>\$176,644,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$235,000 of the general fund--state appropriation for fiscal year 2009 and \$111,000 of the general fund--federal appropriation are provided solely to implement sections 2 and 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term well-being). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

Sec. 214. 2007 c 522 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

General Fund--State Appropriation (FY 2008)	<del>(\$500,000)</del>	\$1,000,000
<del>(General Fund--State Appropriation (FY 2009))</del>	<del>(\$500,000)</del>	
General Fund--Federal Appropriation	<del>(\$4,885,000)</del>	\$4,937,000
State Health Care Authority Administrative Account--State Appropriation	<del>(\$56,074,000)</del>	\$41,543,000
State Health Care Authority Administrative Account--Private/Local Appropriation		\$100,000
Medical Aid Account--State Appropriation	<del>(\$529,000)</del>	\$527,000
Health Services Account--State Appropriation		

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(FY 2008).....	<del>(\$274,666,000)</del>
	\$271,478,000
Health Services Account--State Appropriation	
(FY 2009).....	<del>(\$300,580,000)</del>
	\$302,832,000
TOTAL APPROPRIATION	<del>(\$637,734,000)</del>
	\$622,417,000

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

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

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

(3) The administrator shall take at least the following actions to assure that persons participating in the basic health plan are eligible for the level of assistance they receive: (a) Require submission of (i) income tax returns, and recent pay history, from all applicants, or (ii) other verifiable evidence of earned and unearned income from those persons not required to file income tax returns; (b) check employment security payroll records at least once every twelve months on all enrollees; (c) require enrollees whose income as indicated by payroll records exceeds that upon which their subsidy is based to document their current income as a condition of continued eligibility; (d) require enrollees for whom employment security payroll records cannot be obtained to document their current income at least once every six months; (e) not reduce gross family income for self-employed persons by noncash-flow expenses such as, but not limited to, depreciation, amortization, and home office deductions, as defined by the United States internal revenue service; and (f) pursue repayment and civil penalties from persons who have received excessive subsidies, as provided in RCW 70.47.060(9).

(4) ~~(\$1,984,000 of the health services account--state appropriation for fiscal year 2008 and \$6,315,000)~~ \$4,062,000 of the health services account--state appropriation for fiscal year 2009 ~~(are)~~ is provided solely for additional enrollment in the basic health plan. If available basic health plan slots are exceeded, the authority shall maintain a waiting list and provide for notification when slots become available.

(5) Appropriations in this act include specific funding for health records banking under section 10 of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission).

(6) \$11,934,000 of the health services account--state appropriation for fiscal year 2008 and \$11,834,000 of the health services account--state appropriation for fiscal year 2009 are provided solely for funding for health care services provided through local community clinics.

(7) \$784,000 of the health services account--state appropriation for fiscal year 2008, \$1,676,000 of the health service account--state appropriation for fiscal year 2009, \$540,000 of the general fund--federal appropriation, and ~~(\$22,480,000)~~ \$8,200,000 of the state health care authority administrative account--state appropriation are provided for the development of a new benefits administration and insurance accounting system.

(8) \$2,000,000 of the health services account--state appropriation for fiscal year 2009 is provided solely for the authority to provide one-time competitive grants to community

health centers to increase the number of adults served on an ongoing basis. Each clinic receiving grant funding shall report annually, beginning December 2008, on key adult access indicators established by the authority, including but not limited to increases in the number of low-income adults served.

~~((8) \$2,137,000)~~ (9) \$1,639,000 of the health services account--state appropriation for fiscal year 2008 and ~~(\$1,000,000)~~ \$2,988,000 of the health services account--state appropriation for fiscal year 2009 are provided solely for section 5 of Engrossed Second Substitute House Bill No. 1569 (health insurance partnership board) and related provisions of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care). An additional \$750,000 of the health services account--state appropriation for fiscal year 2009 is provided solely for premium subsidies to low-income employees of small employers participating in the health insurance partnership, as generally described in Second Substitute House Bill No. 2537 (modifications to the health insurance partnership).

~~((9))~~ (10) \$664,000 of the health services account--state appropriation for fiscal year 2008 and \$664,000 of the health services account--state appropriation for fiscal year 2009 are provided solely for the implementation of the Washington quality forum, pursuant to section 9 of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission). If the section is not enacted by June 2007, the amounts provided in this subsection shall lapse.

~~((10))~~ (11) \$600,000 of the state health care authority administrative account--state appropriation is provided solely for the implementation of the state employee health pilot, pursuant to section 41 of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission). If the section is not enacted by June 2007, the amounts provided in this subsection shall lapse.

~~((11))~~ (12) \$250,000 of the health services account--state appropriation for fiscal year 2008 and \$250,000 of the health services account--state appropriation for fiscal year 2009 are provided solely for continuation of the community health collaborative grant program in accordance with chapter 67, Laws of 2006 (E2SSB 6459). The applicant organizations must assure measurable improvements in health access within their service region, demonstrate active collaboration with key community partners, and provide two dollars in matching funds for each grant dollar awarded.

~~((12))~~ (13) \$731,000 of the health services account--state appropriation for fiscal year 2008 and \$977,000 of the health services account--state appropriation for fiscal year 2009 are provided solely for the dental residency program, including maintenance of the existing residency positions and the establishment of six additional resident positions in fiscal year 2008 (four in eastern Washington and two in the Seattle area), and five additional positions in fiscal year 2009.

(14) Appropriations in this act include funding for sections 14 (reducing unnecessary emergency room use) and 40 (state employee health program) of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission).

(15) \$100,000 of the health services account--state appropriation for fiscal year 2009 is provided solely for implementation of the agency's responsibilities in Engrossed Second Substitute House Bill No. 2549 (patient-centered primary care). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 215. 2007 c 522 s 215 (uncodified) is amended to read as follows:

**FOR THE HUMAN RIGHTS COMMISSION**

General Fund--State Appropriation (FY 2008) .	<del>(\$3,444,000)</del>
	\$3,377,000
General Fund--State Appropriation (FY 2009) .	<del>(\$3,350,000)</del>
	\$3,699,000

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General Fund--Federal Appropriation . . . . .	(\$1,345,000)
	\$1,523,000
TOTAL APPROPRIATION . . . . .	(\$8,139,000)
	\$8,599,000

The appropriations in this section are subject to the following conditions and limitations: \$115,000 of the general fund--state appropriation for fiscal year 2008 and \$190,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6776 (whistleblower protections). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

Sec. 216. 2007 c 522 s 216 (uncodified) is amended to read as follows:

**FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Worker and Community Right-to-Know Account--State	
Appropriation . . . . .	\$20,000
Accident Account--State Appropriation . . . . .	(\$18,123,000)
	\$18,330,000
Medical Aid Account--State Appropriation . . . . .	(\$18,124,000)
	\$18,331,000
TOTAL APPROPRIATION . . . . .	(\$36,267,000)
	\$36,681,000

The appropriations in this section are subject to the following conditions and limitations: \$364,000 of the accident account--state appropriation and \$364,000 of the medical aid account--state appropriation are provided solely for the payment of benefits required by Second Substitute House Bill No. 3139 (industrial insurance orders). If the bill is not enacted by June 30, 2008, or if additional benefits are not required under the bill, the amounts provided in this subsection shall lapse.

Sec. 217. 2007 c 522 s 217 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund--State Appropriation (FY 2009) . . . . .	\$306,000
Public Safety and Education Account--State	
Appropriation (FY 2008) . . . . .	(\$15,537,000)
	\$15,680,000
Public Safety and Education Account--State	
Appropriation (FY 2009) . . . . .	(\$14,340,000)
	\$21,464,000
Death Investigations Account--State Appropriation . . . . .	\$148,000
Municipal Criminal Justice Assistance Account--	
State Appropriation . . . . .	\$460,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation . . . . .	\$12,322,000
TOTAL APPROPRIATION . . . . .	(\$42,807,000)
	\$50,380,000

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

(1) During the 2007-2009 biennium, the criminal justice training commission is authorized to raise existing fees charged for firearms certification for security guards in excess of the fiscal growth factor established pursuant to RCW 43.135.055, if necessary, to meet the actual costs of conducting the certification programs and the appropriation levels in this section.

(2) \$2,390,000 of the public safety and education account--state appropriation for fiscal year 2008 and (~~\$956,000~~) \$1,809,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely for ten additional basic law enforcement academies in fiscal year 2008 and (~~four~~) nine additional basic law enforcement academies in fiscal year 2009. (~~Continued funding for these additional academies is contingent upon the result of an office of financial~~

~~management forecast for future student demand for basic law enforcement academics at the criminal justice training centers in Burien and Spokane.~~)

(3) \$1,044,000 of the public safety and education account--state appropriation for fiscal year 2008 and \$1,191,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely for the Washington association of sheriffs and police chiefs to continue to develop, maintain, and operate the jail booking and reporting system (JBRS) and the statewide automated victim information and notification system (SAVIN).

(4) \$28,000 of the public safety and education account--state appropriation for fiscal year 2008 is provided solely for the implementation of chapter 10, Laws of 2007 (SSB 5191, missing persons).

(5) \$5,400,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2008 and \$6,922,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Third Substitute House Bill No. 1001 (auto theft). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(6) \$150,000 of the public safety and education account--state appropriation for fiscal year 2008 and \$150,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely (~~for the implementation of Substitute House Bill No. 1333 (child welfare). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse~~) to deliver multi-disciplinary team training sessions aimed at improving the coordination of, and communication between, agencies involved in the investigation of child fatality, child sexual abuse, child physical abuse, and criminal neglect cases.

(7) \$25,000 of the public safety and education account--state appropriation for fiscal year 2008 is provided solely for the implementation of Substitute Senate Bill No. 5987 (gang-related offenses). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(8) \$50,000 of the public safety and education account--state appropriation for fiscal year 2008 and \$50,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely for support of the coalition of small police agencies major crimes task force. The purpose of this task force is to pool its resources and to establish an efficient and cooperative approach in addressing major violent crimes.

(9) \$20,000 of the public safety and education account--state appropriation for fiscal year 2008 is provided solely for the implementation of Substitute Senate Bill No. 5315 (forest fires/property access). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(10) \$5,000,000 of the public safety and education account--state appropriation for fiscal year 2009 is provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of all registered sex offenders and kidnapping offenders under RCW 9A.44.130. The Washington association of sheriffs and police chiefs shall:

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

(A) For level I offenders, every twelve months;

(B) For level II offenders, every six months; and

(C) For level III offenders, every three months.

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

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

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(c) Submit a report on the effectiveness of the address and residency verification program to the governor and the appropriate committees of the house of representatives and senate by September 1, 2009.

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

(11) \$750,000 of the public safety and education fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2712 (criminal street gangs). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(12) \$306,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a grant program to pay for the costs of local law enforcement agencies participating in specialized crisis intervention training.

**Sec. 218.** 2007 c 522 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund--State Appropriation (FY 2008)	. (( <del>\$8,711,000</del> ))
	\$8,716,000
General Fund--State Appropriation (FY 2009)	. (( <del>\$8,879,000</del> ))
	\$9,314,000
General Fund--Federal Appropriation	..... \$100,000
Public Safety and Education Account--State	
Appropriation (FY 2008)	..... (( <del>\$15,386,000</del> ))
	\$15,393,000
Public Safety and Education Account--State	
Appropriation (FY 2009)	..... (( <del>\$16,607,000</del> ))
	\$16,525,000
Public Safety and Education Account--Federal	
Appropriation	..... \$10,000,000
Asbestos Account--State Appropriation	..... (( <del>\$923,000</del> ))
	\$908,000
Electrical License Account--State Appropriation	(( <del>\$40,718,000</del> ))
	\$41,104,000
Farm Labor Revolving Account--Private/Local	
Appropriation	..... \$28,000
Worker and Community Right-to-Know Account--State	
Appropriation	..... (( <del>\$1,961,000</del> ))
	\$1,941,000
Public Works Administration Account--State	
Appropriation	..... (( <del>\$3,996,000</del> ))
	\$3,948,000
Manufactured Home Installation Training Account--	
State Appropriation	..... \$192,000
Accident Account--State Appropriation	..... (( <del>\$228,998,000</del> ))
	\$232,730,000
Accident Account--Federal Appropriation	..... \$13,622,000
Medical Aid Account--State Appropriation	.. (( <del>\$239,248,000</del> ))
	\$235,880,000
Medical Aid Account--Federal Appropriation	..... \$3,186,000
Plumbing Certificate Account--State Appropriation	..... (( <del>\$1,653,000</del> ))
	\$2,002,000
Pressure Systems Safety Account--State	
Appropriation	..... (( <del>\$3,667,000</del> ))
	\$3,646,000
<b>TOTAL APPROPRIATION</b>	(( <del>\$597,875,000</del> ))
	\$599,235,000

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

(1) \$2,413,000 of the medical aid account--state appropriation is provided solely for conducting utilization reviews of physical and occupational therapy cases at the 24th

visit and the associated administrative costs, including those of entering data into the claimant's file. The department shall develop and report performance measures and targets for these reviews to the office of financial management. The reports are due September 30th of the prior fiscal year and must include the amount spent and the estimated savings per fiscal year.

(2) \$2,247,000 of the medical aid account--state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5920 (vocational rehabilitation). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(3) \$822,000 of the medical aid account--state appropriation is provided solely for vocational services professional staff salary adjustments necessary to recruit and retain positions required for anticipated changes in work duties as a result of Engrossed Substitute Senate Bill No. 5920 (vocational rehabilitation). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse. Compensation for anticipated changes to work duties is subject to review and approval by the director of the department of personnel and is subject to collective bargaining.

(4) \$8,000,000 of the medical aid account--state appropriation is provided solely to establish a program of safety and health as authorized by RCW 49.17.210 to be administered under rules adopted pursuant to chapter 34.05 RCW, provided that projects funded involve workplaces insured by the medical aid fund, and that priority is given to projects fostering accident prevention through cooperation between employers and employees or their representatives.

(5) \$600,000 of the medical aid account--state appropriation is provided solely for the department to contract with one or more independent experts to evaluate and recommend improvements to the rating plan under chapter 51.18 RCW, including analyzing how risks are pooled, the effect of including worker premium contributions in adjustment calculations, incentives for accident and illness prevention, return-to-work practices, and other sound risk-management strategies that are consistent with recognized insurance principles.

(6) \$181,000 of the accident account--state appropriation and \$181,000 of the medical aid account--state appropriation are provided solely to implement Substitute Senate Bill No. 5443 (workers' compensation claims). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(7) \$558,000 of the medical aid account--state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5290 (workers' compensation advisory committees). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(8) \$104,000 of the public safety and education account--state appropriation for fiscal year 2008, \$104,000 of the public safety and education account--state appropriation for fiscal year 2009, \$361,000 of the accident account--state appropriation, and \$361,000 of the medical aid account--state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5675 (workers' compensation benefits). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(9) \$730,000 of the medical aid account--state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(10) \$437,000 of the accident account--state appropriation and \$437,000 of the medical aid account--state appropriation are provided solely for implementation of Substitute Senate Bill No. 5053 (industrial insurance ombudsman). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(11) \$74,000 of the accident account--state appropriation and \$74,000 of the medical aid--state appropriation are provided

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solely for implementation of Engrossed Substitute Senate Bill No. 5915 (notices to employers). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(12) \$605,000 of the accident account--state appropriation for fiscal year 2008 is provided solely for a study of the incidence of permanent total disability pensions in the state's workers' compensation system. To conduct the study, the department shall contract with an independent researcher that has demonstrated expertise in workers' compensation systems. When selecting the independent researcher, the department shall consult the labor and business members of the workers' compensation advisory committee and, if the labor and business members of the workers' compensation advisory committee agree on a particular independent researcher, the department shall select that independent researcher. The study must consider causes of the recent increase in permanent total disability cases, future anticipated permanent total disability trends, a comparison of Washington's permanent total disability claims experience and injured workers with other states and jurisdictions, the impact of the standard for finding workers employable on the incidence of permanent total disability pensions, and the impact of vocational rehabilitation under RCW 51.32.095 on the incidence of permanent total disability pensions. The department shall report to the workers' compensation advisory committee, the house of representatives commerce and labor committee, and the senate labor, commerce, research and development committee on the results of the study on or before July 1, 2008.

(13) \$1,089,000 of the accident account--state appropriation and \$192,000 of the medical aid account--state appropriation are provided solely for implementation of chapter 27, Laws of 2007 (ESHB 2171, crane safety).

(14) \$100,000 of the general fund--federal appropriation and \$192,000 of the manufactured home installation training account--state appropriation are provided solely for Substitute House Bill No. 2118 (mobile/manufactured homes). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(15) \$107,000 of the accident account--state appropriation and \$107,000 of the medical aid account--state appropriation are provided solely to implement Senate Bill No. 6839 (workers' compensation coverage). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(16) \$224,000 of the general fund--state appropriation for fiscal year 2009, \$741,000 of the accident account--state appropriation, and \$741,000 of the medical aid account--state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6732 (construction industry). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(17) \$408,000 of the accident account--state appropriation and \$72,000 of the medical aid account--state appropriation are provided solely to implement Substitute House Bill No. 2602 (victims' employment leave). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(18) \$3,000 of the public safety and education account--state appropriation for fiscal year 2008 and \$3,000 of the public safety and education account--state appropriation for fiscal year 2009 are provided solely to implement Substitute Senate Bill No. 6246 (industrial insurance claims). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(19) \$368,000 of the plumbing certificate account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5831 (HVAC and refrigeration). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(20) \$256,000 of the accident account--state appropriation and \$256,000 of the medical aid account--state appropriation are provided solely for the payment of benefits required by Second

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Substitute House Bill No. 3139 (industrial insurance orders). If the bill is not enacted by June 30, 2008, or if additional benefits are not required under the bill, the amounts provided in this subsection shall lapse.

(21) \$40,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department to conduct a review of the need for regulation of general and specialty contractors involved in the repair, alteration, or construction of single-family homes using the public interest criteria set forth in RCW 18.118.010 and as generally described in Second Substitute House Bill No. 3349 (residential contractors). By October 1, 2008, the department and the department of licensing shall report their findings to the appropriate committees of the legislature.

(22) The department of labor and industries shall enter into an interagency agreement with the employment security department to expend funds from the family leave insurance account for the implementation of the family leave insurance program.

(23) Pursuant to RCW 43.135.055, the department is authorized to increase the following fees as necessary to meet the actual costs of conducting business and the appropriation levels in this section and by not more than 5.53 percent in fiscal year 2008: Boiler inspection permits and fees; boiler permit fees; plumbers' continuing education; and plumbers' licensing and examination fees.

Sec. 219. 2007 c 522 s 219 (uncodified) is amended to read as follows:

**FOR THE INDETERMINATE SENTENCE REVIEW BOARD**

General Fund--State Appropriation (FY 2008) . . . .	\$1,876,000
General Fund--State Appropriation (FY 2009) . . . .	<del>(\$1,907,000)</del>
	\$2,012,000
TOTAL APPROPRIATION . . . .	<del>(\$3,783,000)</del>
	\$3,888,000

The appropriations in this subsection are subject to the following conditions and limitations: \$224,000 of the general fund--state appropriation for fiscal year 2008 and \$210,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of House Bill No. 1220 (sentence review board). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

Sec. 220. 2007 c 522 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) HEADQUARTERS

General Fund--State Appropriation (FY 2008) . . . .	\$2,124,000
General Fund--State Appropriation (FY 2009) . . . .	<del>(\$2,183,000)</del>
	\$2,142,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation . . . . .	\$10,000
<del>(Veterans Innovations Program Account Appropriation . . . . .</del>	<del>\$1,437,000)</del>
TOTAL APPROPRIATION . . . .	<del>(\$5,754,000)</del>
	\$4,276,000

(2) FIELD SERVICES

General Fund--State Appropriation (FY 2008) . . . .	<del>(\$5,126,000)</del>
	\$5,264,000
General Fund--State Appropriation (FY 2009) . . . .	<del>(\$5,249,000)</del>
	\$5,593,000
General Fund--Federal Appropriation . . . . .	<del>(\$972,000)</del>
	\$1,025,000
General Fund--Private/Local Appropriation . . . .	<del>(\$2,987,000)</del>
	\$3,317,000
Veterans Innovations Program Appropriation .....	\$1,437,000
Veteran Estate Management Account--Private/Local	

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Appropriation . . . . . \$1,062,000  
 TOTAL APPROPRIATION . . . . . ~~(\$15,396,000)~~  
 \$17,698,000

The appropriations in this subsection are subject to the following conditions and limitations: \$440,000 of the general fund--state appropriation for fiscal year 2008 and \$560,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Second Substitute Senate Bill No. 5164 (veterans' conservation corps). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(3) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2008) . . . . . ~~(\$8,340,000)~~  
 \$7,948,000  
 General Fund--State Appropriation (FY 2009) . . . . . ~~(\$8,894,000)~~  
 \$5,984,000  
 General Fund--Federal Appropriation . . . . . ~~(\$41,333,000)~~  
 \$43,126,000  
 General Fund--Private/Local Appropriation . . . . . ~~(\$30,197,000)~~  
 \$31,574,000  
 TOTAL APPROPRIATION . . . . . ~~(\$88,764,000)~~  
 \$88,632,000

Sec. 221. 2007 c 522 s 221 (uncodified) is amended to read as follows:

**FOR THE HOME CARE QUALITY AUTHORITY**

General Fund--State Appropriation (FY 2008) . . . . \$1,721,000  
 General Fund--State Appropriation (FY 2009) . . . . ~~(\$1,740,000)~~  
 \$1,731,000  
 TOTAL APPROPRIATION . . . . ~~(\$3,461,000)~~  
 \$3,452,000

Sec. 222. 2007 c 522 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund--State Appropriation (FY 2008) ~~(\$81,288,000)~~  
 \$81,352,000  
 General Fund--State Appropriation (FY 2009) ~~(\$78,032,000)~~  
 \$86,258,000  
 General Fund--Federal Appropriation . . . . . ~~(\$480,735,000)~~  
 \$477,072,000  
 General Fund--Private/Local Appropriation . . . . . ~~(\$111,257,000)~~  
 \$119,919,000  
 Hospital Commission Account--State Appropriation  
 . . . . . ~~(\$1,247,000)~~  
 \$144,000  
 Health Professions Account--State Appropriation  
 . . . . . ~~(\$62,419,000)~~  
 \$68,877,000  
 Aquatic Lands Enhancement Account--State  
 Appropriation . . . . . \$600,000  
 Emergency Medical Services and Trauma Care Systems  
 Trust Account--State Appropriation . . . . . ~~(\$12,610,000)~~  
 \$12,606,000  
 Safe Drinking Water Account--State Appropriation  
 . . . . . ~~(\$3,064,000)~~  
 \$3,041,000  
 Public Health Services Account--State Appropriation \$1,000,000  
 Drinking Water Assistance Account--Federal  
 Appropriation . . . . . ~~(\$16,991,000)~~  
 \$19,027,000  
 Waterworks Operator Certification--State  
 Appropriation . . . . . ~~(\$1,518,000)~~  
 \$1,513,000  
 Drinking Water Assistance Administrative Account--  
 State Appropriation . . . . . \$326,000  
 Water Quality Account--State Appropriation  
 (FY 2008) . . . . . \$1,975,000  
 Water Quality Account--State Appropriation

(FY 2009) . . . . . ~~(\$2,013,000)~~  
 \$1,983,000  
 State Toxics Control Account--State Appropriation  
 . . . . . ~~(\$3,415,000)~~  
 \$3,460,000  
 Medical Test Site Licensure Account--State  
 Appropriation . . . . . ~~(\$2,068,000)~~  
 \$2,057,000  
 Youth Tobacco Prevention Account--State Appropriation  
 . . . . . \$1,512,000  
 Public Health Supplemental Account--Private/Local  
 Appropriation . . . . . ~~(\$2,482,000)~~  
 \$3,918,000  
 Accident Account--State Appropriation . . . . . ~~(\$294,000)~~  
 \$291,000  
 Medical Aid Account--State Appropriation . . . . . \$48,000  
 Health Services Account--State  
 Appropriation (FY 2008) . . . . . \$42,122,000  
 Health Services Account--State  
 Appropriation (FY 2009) . . . . . ~~(\$46,663,000)~~  
 \$51,429,000  
 Tobacco Prevention and Control Account--State  
 Appropriation . . . . . ~~(\$52,870,000)~~  
 \$52,846,000  
 TOTAL APPROPRIATION ~~(\$1,005,773,000)~~  
 \$1,033,376,000

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

(1) The department is authorized to raise existing fees charged for its fee-supported programs in excess of the fiscal growth factor pursuant to RCW 43.135.055, if necessary, to meet the actual costs of conducting business and the appropriation levels in this section. Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is further authorized to increase fees in its fee-supported programs as necessary to meet the actual costs of conducting business and the appropriation levels in this section, as specifically authorized in LEAP Document DOH-2008, as developed by the legislative evaluation and accountability program on March 11, 2008.

(2) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) \$877,000 of the health professions account appropriation is provided solely for implementation of Substitute House Bill No. 1099 (dental professions). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(4) \$198,000 of the general fund--state appropriation for fiscal year 2008 and \$24,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute House Bill No. 2304 (cardiac care services). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(5) \$138,000 of the general fund--state appropriation for fiscal year 2008 and \$220,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for an evaluation of chronic care provider training.



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(6) \$51,000 of the general fund--state appropriation for fiscal year 2008 and \$24,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5297 (sex education). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(7) \$103,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the implementation of Substitute House Bill No. 1837 (nonambulatory persons). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(8) \$201,000 of the general fund--private/local appropriation is provided solely for the implementation of Substitute House Bill No. 2087 (health care facilities). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(9) \$293,000 of the general fund--state appropriation for fiscal year 2008 and \$287,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for public service announcements regarding childhood lead poisoning, information pamphlets, rule development, and for early identification of persons at risk of having elevated blood-lead levels, which includes systematically screening children under six years of age and other target populations identified by the department. Priority will be given to testing children and increasing the registry in the lead surveillance program.

(10) \$101,000 of the general fund--state appropriation for fiscal year 2008, \$81,000 of the general fund--state appropriation for fiscal year 2009, and \$6,000 of the general fund--private/local appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1414 (ambulatory surgical facilities). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(11) \$55,000 of the health professions account appropriation is provided solely for the implementation of Substitute House Bill No. 1397 (massage therapy). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(12) \$58,000 of the general fund--private/local appropriation is provided solely for the implementation of Senate Bill No. 5398 (specialty hospitals). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(13) \$34,000 of the general fund--state appropriation for fiscal year 2008, \$44,000 of the general fund--state appropriation for fiscal year 2009, and \$224,000 of the oyster reserve land account--state appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(14) \$571,000 of the general fund--state appropriation for fiscal year 2008 and \$458,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Second Substitute House Bill No. 1106 (hospital acquired infections). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(15) \$4,000,000 of the general fund--state appropriation for fiscal year 2008 (~~and \$1,000,000~~), \$5,000,000 of the general fund--state appropriation for fiscal year 2009, and \$1,000,000 of the public health services account--state appropriation are provided solely for department of health-funded family planning clinics to increase the capacity of the clinics to provide family planning and reproductive health services to low-income men and women who are not otherwise eligible for services through the department of social and health services medical assistance program and for clinical or other health services associated with sexually transmitted disease testing through the infertility prevention project. Funds appropriated and expended under this subsection for fiscal year 2009 shall be distributed in a manner

that allocates funding to department of health-funded family planning clinics based upon the percentage of medical assistance family planning waiver clients in calendar year 2005 who received services from a provider located in the geographic area served by the department of health-funded clinic. Of these amounts, the department is authorized to expend up to \$1,000,000 of its general fund--state appropriation for fiscal year 2009 for services provided in fiscal year 2008, if necessary, to offset reductions in federal funding.

(16) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 is for one-time funding to purchase and store antiviral medications to be used in accordance with the state pandemic influenza response plan. These drugs are to be purchased through the United States department of health and human services to take advantage of federal subsidies.

(17) \$147,000 of the general fund--state appropriation for fiscal year 2008 and \$32,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department of health to provide relevant information on measures taken to facilitate expanded use of reclaimed water pursuant to Engrossed Second Substitute Senate Bill No. 6117 (reclaimed water). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(18) \$550,000 of the general fund--state appropriation for fiscal year 2008 and \$550,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the lifelong AIDS alliance to restore lost federal funding.

(19) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for medical nutritional therapy for people with HIV/AIDS and other low-income residents in King county with chronic illnesses.

(20) \$645,000 of the general fund--state appropriation for fiscal year 2008 and \$645,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the neurodevelopmental center system, which provides therapy and medical services for young, low-income children with developmental disabilities.

(21) \$100,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to continue the autism task force established by chapter 259, Laws of 2005, through June 30, 2008. The task force shall:

(a) Review and continue to refine criteria for regional autism centers throughout Washington state based on community needs in each area, and address the role of autism centers within the larger context of developmental disabilities;

(b) Prioritize its December 2006 recommendations and develop an implementation plan for the highest priorities. The plan should detail how systems will coordinate to improve service and avoid duplication between state agencies including the department of social and health services, department of health, office of superintendent of public instruction, as well as school districts, autism centers, and local partners and providers. The plan shall also estimate the costs of the highest priority recommendations and report to the legislature and governor by December 1, 2007;

(c) Compile information for and draft the "Washington Service Guidelines for Individuals with Autism - Birth Through Lifespan" book described in the task force's recommendations. Funding to print and distribute the book is expected to come from federal or private sources; and

(d) Monitor the federal combating autism act and its funding availability and make recommendations on applying for grants to assist in implementation of the 2006 task force recommendations. The department of health shall be the lead agency in providing staff for the task force. The department may seek additional staff assistance from the office of the superintendent of public instruction and the committee staff of the legislature. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses.

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(22) \$200,000 of the general fund--state appropriation for fiscal year 2008 and \$200,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of the Washington state hepatitis C strategic plan.

(23) \$142,000 of the health professions account appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5403 (animal massage practitioners). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(24) \$174,000 of the health professions account appropriation is provided solely for the implementation of Substitute Senate Bill No. 5503 (athletic trainers). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(25) \$75,000 of the health professions account appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5292 (physical therapist assistants). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(26) \$94,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to implement Engrossed Second Substitute Senate Bill No. 6032 (medical use of marijuana). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(27) \$386,000 of the general fund--state appropriation for fiscal year 2008 and \$384,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5894 (large on-site sewage systems). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(28) \$1,721,000 of the health professions account appropriation is provided solely for the implementation of sections 11 and 12 (medical information) of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care). If the sections are not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(29) \$10,000,000 of the health services account--state appropriation for fiscal year 2008 and \$10,000,000 of the health services account--state appropriation for fiscal year 2009 are provided solely for distribution to local health jurisdictions and for the costs of administering the public health related sections of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care), subject to the following conditions and limitations:

(a) During the month of January 2008, and January 2009, the department of health shall distribute funds appropriated in this section to local health jurisdictions, less an amount not to exceed five percent for the costs of administering the public health related sections of Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care). The amount of funding for distribution to a jurisdiction before the administrative deduction shall be the greater of: (i) One hundred thousand dollars; or (ii) (A) a base level of funding of seventy-five thousand dollars plus the per capita amount, for a jurisdiction with a population of four hundred thousand persons or fewer; or (B) a base level of funding of twenty-five thousand dollars plus the per capita amount, for a jurisdiction with a population greater than four hundred thousand persons. Amounts distributed under this subsection must be used to fund core public health functions of statewide significance as defined in Engrossed Second Substitute Senate Bill No. 5930 (blue ribbon commission on health care).

(b) For the purposes of this subsection:

(i) "Per capita amount" means an amount equal to seven million five hundred thousand dollars multiplied by the proportion of the population of the jurisdiction in the previous calendar year to the population of the state in the previous calendar year.

(ii) "Population" means the number of persons as last determined by the office of financial management. If the

jurisdiction comprises a single county, "population" means the number of persons in the county. For a jurisdiction comprising two or more counties, "population" means the number of persons in all counties comprising the jurisdiction.

(iii) "Local health jurisdiction" or "jurisdiction" means a county board of health organized under chapter 70.05 RCW, a health district organized under chapter 70.46 RCW, or a combined city and county health department organized under chapter 70.08 RCW.

(c) The department may adopt rules necessary to administer this subsection.

(30) \$15,000 of the general fund--state appropriation for fiscal year 2008 and \$35,000 of the health professions account--state appropriation are provided solely for an evaluation of the economic benefits to the state's health care system of the midwifery licensure and regulatory program under chapter 18.50 RCW. In particular, the department shall contract with a consultant to conduct a review of existing research literature on whether these economic benefits exceed the state expenditures to subsidize the cost of the midwifery licensing and regulatory program under RCW 43.70.250. The evaluation shall include an assessment of the economic benefits to consumers who elect to have out-of-hospital births with midwives, including any reduced use of procedures that increase the costs of childbirth. The department shall submit the report to the appropriate policy and fiscal committees of the legislature by January 1, 2008. (~~Engrossed House Bill No. 1667 (health professions licensing fees) is enacted by June 30, 2007, the amounts provided in this subsection are provided solely for the purposes of that bill.~~)

(31) \$147,000 of the health professions account--state appropriation is provided solely for the department of health to convene a work group to develop recommendations regarding the need to regulate those individuals currently registered with the department of health as counselors. The department of health shall submit recommendations of the work group to the legislature and governor by November 15, 2007. Based on the recommendations of the work group, the department of health shall draft credentialing guidelines for all registered counselors by January 1, 2008. Guidelines shall include education in risk assessment, ethics, professional standards, and deadlines for compliance.

(32) \$680,000 of the health services account--state appropriation for fiscal year 2009 is provided solely for the prescription monitoring program under chapter 70.225 RCW to monitor the prescribing and dispensing of drugs to reduce the likelihood of adverse drug effects, particularly for senior citizens taking multiple medications. The attorney general shall deposit to the health services account at least \$680,000 from the *cy pres* monetary portion of the consent decree in settlement of the consumer protection act litigation against Caremark Rx, LLC (King county superior court cause no. 08-2-06098-5). The amount provided in this subsection may be expended only to the extent that the attorney general deposits these moneys to the health services account, to be expended consistent with the terms of the consent decree.

(33) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Second Substitute Senate Bill No. 6483 (local food production). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(34) \$400,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the senior falls prevention pilot program, pursuant to section 7 of Engrossed Second Substitute House Bill No. 2668 (long-term care programs).

(35) \$585,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state breast and cervical health program to increase the provider reimbursement rate for digital mammographies to the medicare equivalent rate.

(36) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the child death review

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program. The program shall be transferred from the community and family health division to the injury prevention division within the department.

(37) \$155,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Kitsap county health district's home visits for newborns program. In order to receive these funds, the county health district must commit an equal amount of funding for this purpose.

(38) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the northwest sickle cell collaborative program.

(39) \$77,000 of the general fund--state appropriation for fiscal year 2008 and \$154,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the restoration of maxillofacial/cleft palate teams in Yakima, Spokane, Seattle, and Tacoma.

(40) \$17,000 of the health professions account--state appropriation is provided solely to implement Second Substitute Senate Bill No. 6220 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute House Bill No. 2668 (long-term care programs). If neither bill is enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(41) \$11,000 of the health professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 6439 (radiologist assistants). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(42) \$115,000 of the general fund--state appropriation for fiscal year 2009 and \$4,261,000 of the health professions account--state appropriation are provided solely for implementation of Fourth Substitute House Bill No. 1103 (health professions). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(43) \$558,000 of the health professions account--state appropriation is provided solely for implementation of Second Substitute House Bill No. 2674 (counselor credentialing). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(44) The department of licensing and the department of health shall jointly review and report to the appropriate policy committees of the legislature by December 1, 2008, recommendations for implementing a process of holding in abeyance for up to six months following the conclusion of active duty service the expiration of, and currency requirements for, professional licenses and certificates for individuals who have been called to active duty military service.

(45) The higher education coordinating board, the department of licensing, and the department of health shall jointly review and report to appropriate policy committees of the legislature by December 1, 2008, on barriers and opportunities for increasing the extent to which veterans separating from duty are able to apply skills sets and education required while in service to certification, licensure, and degree requirements.

(46) \$120,000 of the general fund--state appropriation for fiscal year 2008 and \$275,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for continued development and implementation of the outbreak disease information network toolkit at the department and other local government health departments.

(47) \$35,000 of the general fund--state appropriation for fiscal year 2009 and \$80,000 of the state toxics control account--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 2647 (children's safe products). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(48) \$26,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute House Bill No. 2431 (cord blood banking). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

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(49) \$143,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute Senate Bill No. 6340 (water system program). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(50) \$309,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Engrossed Second Substitute House Bill No. 2549 (patient-centered care). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(51) \$200,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department's efforts to prevent the spread of methicillin resistant staphylococcus aureus and other multidrug resistant organisms by providing hospitals with support for their activities relating to surveillance, outbreak investigation, and lab testing. Of this amount, \$100,000 is for the department to pay for genetic testing of methicillin resistant staphylococcus aureus and other multidrug resistant organisms for hospitals investigating outbreaks.

(52) \$96,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 2881 (practice of dentistry). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(53) \$80,000 of the health professions account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 2693 (long-term care workers). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(54) \$130,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the midwifery licensure and regulatory program to offset a reduction in revenue from fees. There shall be no change to the current annual fees for new or renewed licenses for the midwifery program. The department shall convene the midwifery advisory committee on a quarterly basis to address issues related to licensed midwifery.

**NEW SECTION. Sec. 223.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS.** (1)

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified herein. However, after May 1, 2008, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year 2008 between programs. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any deviations from appropriation levels. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(2) The department may transfer up to \$15,000,000 of the general fund--state appropriation for fiscal year 2009 into fiscal year 2008, if deemed necessary by the department and approved in advance by the director of financial management. The director of financial management shall notify the fiscal committees of the legislature in writing seven days prior to approving a transfer under this subsection. The written notification shall include a narrative explanation and justification of the transfer including allotment detail by program, budget object, and budget unit for both fiscal years, both before and after any transfers.

**Sec. 224.** 2007 c 522 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund--State Appropriation (FY 2008)	<del>(\$57,968,000)</del>
	\$57,545,000
General Fund--State Appropriation (FY 2009)	<del>(\$52,911,000)</del>
	\$52,652,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation	\$169,000
Violence Reduction and Drug Enforcement	
Account--State Appropriation (FY 2008)	\$13,000
Violence Reduction and Drug Enforcement	
Account--State Appropriation (FY 2009)	\$13,000
Public Safety and Education Account--State	
Appropriation (FY 2008)	\$1,467,000
Public Safety and Education Account--State	
Appropriation (FY 2009)	<del>(\$1,504,000)</del>
	\$1,481,000
Pension Funding Stabilization Account--State	
Appropriation	\$1,280,000
TOTAL APPROPRIATION	<del>(\$115,325,000)</del>
	\$114,620,000

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

(a) \$9,389,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the completion of phase three of the department's offender-based tracking system replacement project. This amount is conditioned on the department satisfying the requirements of section 902 of this act.

(b) \$35,000 of the general fund--state appropriation for fiscal year 2008 and \$35,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the establishment and support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will begin to investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(c) \$169,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2008 is provided solely for the implementation of Engrossed Third Substitute House Bill No. 1001 (auto theft). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(d) \$102,000 of the general fund--state appropriation for fiscal year 2008 and \$95,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1422 (incarcerated parents). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

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

(f) \$314,000 of the general fund--state appropriation for fiscal year 2008 and \$294,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for four additional staff to collect and analyze data for programs funded through the offender reentry initiative and collect, analyze, and disseminate information required by the GMAP process, performance audits, data requests, and quality assessments and assurances.

(g) \$32,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Substitute Senate Bill No. 6244 (conversion of facilities to

house violators of community supervision). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(h)(i) The secretary shall establish an advisory committee, to be known as the offenders in families advisory committee.

(ii) The advisory committee shall be advisory to the secretary.

(iii) Committee membership shall not exceed ten persons and shall be representative of the characteristics of the populations of offenders under the jurisdiction of the department, including representing offender geographic, racial, and ethnic diversity. At least five members of the advisory committee shall be family members of offenders currently or formerly under the jurisdiction of the department.

(iv) All committee members shall serve on a volunteer basis.

(v) The purpose of the advisory committee shall be to provide advice on aspects of the administration and application of department rules, policies, and programs in order to assist in:

(A) Strengthening procedures and practices which lessen the possibility of adverse outcomes on the health, safety, welfare, and rehabilitation of offenders;

(B) Providing information regarding the corrections system to offenders and their families;

(C) Identifying issues and potential responses regarding the corrections system for the department, governor, and legislature to consider; and

(D) Providing information to interested members of the public regarding the state's correctional system, including information on the rights and responsibilities of offenders and their family members.

(i) Within the amounts provided in this section the department of corrections, with assistance from the department of social and health services, shall identify and evaluate alternatives for closure of the McNeil Island corrections center. The evaluation shall include capital and operating costs for ten years. Alternatives shall include, but may not be limited to:

(i) Continued operation of McNeil Island corrections center and the special commitment center, assuming no change in capacity at either institution;

(ii) Construct or acquire and operate correctional institution facilities to replace the offender capacity at McNeil Island corrections center; and

(iii) Closure of McNeil Island corrections center. The department of social and health services would assume sole responsibility for providing the transportation, operations, utilities, and other infrastructure associated with continued operation of the special commitment center on McNeil Island. The department shall report to the office of financial management and legislative fiscal committees by December 31, 2008.

(j) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement Engrossed Second Substitute House Bill No. 2712 (criminal street gangs). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund--State Appropriation (FY 2008)	<del>(\$617,042,000)</del>
	\$601,402,000
General Fund--State Appropriation (FY 2009)	<del>(\$664,710,000)</del>
	\$647,718,000
General Fund--Federal Appropriation	<del>(\$3,490,000)</del>
	\$4,157,000

Public Safety and Education Account--State  
Appropriation (FY 2008) . . . . . \$1,050,000

Public Safety and Education Account--State  
Appropriation (FY 2009) . . . . . \$1,350,000

Washington Auto Theft Prevention Authority Account--  
State Appropriation . . . . . \$1,338,000

Violence Reduction and Drug Enforcement  
Account--State Appropriation (FY 2008) . . . . . \$1,492,000

Violence Reduction and Drug Enforcement

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Account--State Appropriation (FY 2009) . . . . .	\$1,492,000
Pension Funding Stabilization Account--State Appropriation . . . . .	\$11,800,000
<b>TOTAL APPROPRIATION ((<del>\$1,301,364,000</del>))</b>	<b>\$1,271,799,000</b>

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

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

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

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

(d) During the 2007-09 biennium, when contracts are established or renewed for offender pay phone and other telephone services provided to inmates, the department shall select the contractor or contractors primarily based on the following factors: (i) The lowest rate charged to both the inmate and the person paying for the telephone call; and (ii) the lowest commission rates paid to the department, while providing reasonable compensation to cover the costs of the department to provide the telephone services to inmates and provide sufficient revenues for the activities funded from the institutional welfare betterment account.

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

(f) \$358,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2008 and \$980,000 of the Washington auto theft prevention authority account--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Third Substitute House Bill No. 1001 (auto theft). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(g) \$22,000 of the general fund--state appropriation for fiscal year 2008 and \$22,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute House Bill No. 1097 (vulnerable adults). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(h) \$22,000 of the general fund--state appropriation for fiscal year 2008 and \$22,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute House Bill No. 1319 (correctional agency employee). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(i) \$87,000 of the general fund--state appropriation for fiscal year 2008 and \$87,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of House Bill No. 1592 (sentence review board). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(j) \$544,000 of the general fund--state appropriation for fiscal year 2008 and \$496,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for development of individual reentry plans to prepare offenders for release into the community as generally described in Engrossed Substitute Senate Bill No. 6157 (offender recidivism). Individual reentry plans shall be based on an assessment of the

offender using a standardized and comprehensive tool. The individual reentry plan may be one document, or may be a series of individual plans that combine to meet the requirements. The individual reentry plan shall, at a minimum, include:

(i) A plan to maintain contact with the inmate's children and family, if appropriate. The plan should determine whether parenting classes, or other services, are appropriate;

(ii) A description of the offender's education, certifications, work experience, skills, and training; and

(iii) A plan for the offender during the period of incarceration through reentry into the community that addresses the needs of the offender including education, employment, substance abuse treatment, mental health treatment, and family reunification. The individual reentry plan shall be updated as appropriate during the period of incarceration, and prior to the inmate's release to address public safety concerns, consistency with the offender risk management level assigned by the department, housing, and connecting with a community justice center in the area in which the offender will be residing, if a community justice center is located in that area.

(iv) If the appropriation in this subsection is not sufficient for this program, the department shall prioritize the use of available funds.

<b>(3) COMMUNITY SUPERVISION</b>	
General Fund--State Appropriation (FY 2008) (( <del>\$129,063,000</del> ))	\$133,157,000
General Fund--State Appropriation (FY 2009) (( <del>\$140,462,000</del> ))	\$145,956,000
<u>General Fund--Federal Appropriation . . . . .</u>	<u>\$416,000</u>
Public Safety and Education Account--State Appropriation (FY 2008) . . . . .	(( <del>\$9,317,000</del> ))
	\$9,319,000
Public Safety and Education Account--State Appropriation (FY 2009) . . . . .	(( <del>\$9,680,000</del> ))
	\$9,370,000
Pension Funding Stabilization Account--State Appropriation . . . . .	\$2,800,000
<b>TOTAL APPROPRIATION ((<del>\$291,322,000</del>))</b>	<b>\$301,018,000</b>

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

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

(b) For the acquisition of properties and facilities, the department of corrections is authorized to enter into financial contracts, paid for from operating resources, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. This authority applies to the following: Lease-develop with the option to purchase or lease-purchase work release beds in facilities throughout the state for \$8,561,000.

(c) \$1,167,000 of the general fund--state appropriation for fiscal year 2008 and \$2,295,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the establishment and operation of community justice centers by the department as generally described in Engrossed Substitute Senate Bill No. 6157 (offender recidivism). At a minimum, a community justice center shall include:

(i) A violator program to allow the department to utilize a range of available sanctions for offenders who violate conditions of their supervision;

(ii) An employment opportunity program to assist an offender in finding employment;

(iii) On-site services or resources for connecting offenders with services such as mental health and substance abuse treatment, transportation, training, family reunification, and community services; and

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(iv) The services of a transition coordinator to facilitate connections between the former offender and the community. The transition coordinator shall provide information to former offenders regarding services available to them in the community including, but not limited to housing assistance, employment assistance, education, vocational training, parent education, financial literacy, treatment for substance abuse, mental health, anger management, and shall assist offenders in their efforts to access needed services.

(v) If the appropriation in this subsection is not sufficient for this program, the department shall prioritize the use of available funds.

**(4) CORRECTIONAL INDUSTRIES**

General Fund--State Appropriation (FY 2008) . . . . .	<del>(\$987,000)</del>
	\$1,001,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$2,347,000)</del>
	\$2,357,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b><del>(\$3,334,000)</del></b>
	<b>\$3,358,000</b>

The appropriations in this subsection are subject to the following conditions and limitations: ~~(\$110,000)~~ \$124,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$110,000)~~ \$132,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for transfer to the jail industries board. The board shall use the amounts provided only for administrative expenses, equipment purchases, and technical assistance associated with advising cities and counties in developing, promoting, and implementing consistent, safe, and efficient offender work programs.

**(5) INTERAGENCY PAYMENTS**

General Fund--State Appropriation (FY 2008) . . . . .	<del>(\$35,026,000)</del>
	\$35,036,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$35,175,000)</del>
	\$35,192,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b><del>(\$70,201,000)</del></b>
	<b>\$70,228,000</b>

The appropriations in this subsection are subject to the following conditions and limitations: \$35,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for expenditures related to the *Farrakhan v. Locke* litigation.

**Sec. 225.** 2007 c 522 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund--State Appropriation (FY 2008) . . . . .	\$2,566,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$2,636,000)</del>
	\$2,608,000
General Fund--Federal Appropriation . . . . .	<del>(\$17,702,000)</del>
	\$17,584,000
General Fund--Private/Local Appropriation . . . . .	\$20,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b><del>(\$22,924,000)</del></b>
	<b>\$22,778,000</b>

The appropriations in this subsection are subject to the following conditions and limitations: \$4,000 of the general fund--state appropriation for fiscal year 2008 and \$4,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for an adjustment to the agency lease rate for space occupied and parking in the Tacoma Rhodes center. The department of general administration shall increase lease rates to meet the cash gain/loss break-even point for the Tacoma Rhodes center effective July 1, 2007.

**Sec. 226.** 2007 c 522 s 225 (uncodified) is amended to read as follows:

**FOR THE SENTENCING GUIDELINES COMMISSION**

General Fund--State Appropriation (FY 2008) . . . . .	\$937,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$959,000)</del>
	\$1,233,000

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TOTAL APPROPRIATION . . . . . ~~(\$1,896,000)~~  
\$2,170,000

The appropriations in this section are subject to the following conditions and limitations: \$295,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Substitute Senate Bill No. 6596 (sex offender policy board). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

**Sec. 227.** 2007 c 522 s 226 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund--State Appropriation (FY 2008) . . . . .	\$60,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$60,000)</del>
	\$82,000
General Fund--Federal Appropriation . . . . .	<del>(\$265,906,000)</del>
	\$265,114,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$33,877,000)</del>
	\$33,578,000
Unemployment Compensation Administration Account-- Federal Appropriation . . . . .	<del>(\$253,644,000)</del>
	\$252,925,000
Administrative Contingency Account--State Appropriation . . . . .	<del>(\$31,273,000)</del>
	\$26,131,000
Employment Service Administrative Account--State Appropriation . . . . .	<del>(\$32,055,000)</del>
	\$33,843,000
Family Leave Insurance Account--State Appropriation . . . . .	\$6,218,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b><del>(\$616,875,000)</del></b>
	<b>\$618,151,000</b>

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

(1) \$4,578,000 of the unemployment compensation administration account--federal appropriation is provided from funds made available to the state by section 903(d) of the social security act (Reed Act). These funds are authorized to provide direct services to unemployment insurance claimants and providing job search review.

(2) \$2,300,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed Act). This amount is authorized to continue implementation of chapter 4, Laws of 2003 2nd sp. sess. and for implementation costs relating to chapter 133, Laws of 2005 (unemployment insurance).

(3) ~~(\$12,348,000)~~ \$23,162,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed Act). This amount is authorized to continue current unemployment insurance functions and department services to employers and job seekers.

(4) \$372,000 of the administrative contingency account--state appropriation is provided solely to implement Substitute Senate Bill No. 5653 (self-employment). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(5) \$12,054,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed act). This amount is authorized to fund the unemployment insurance tax information system (TAXIS) technology initiative for the employment security department.

(6) \$430,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed act). This amount is authorized to replace high-risk servers used by the unemployment security department.

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(7) \$503,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed act). This amount is authorized to provide a system to track computer upgrades and changes for the unemployment security department.

(8) \$183,000 of the unemployment compensation administration account--federal appropriation is provided from the amounts made available to the state by section 903(d) of the social security act (Reed Act). This amount is authorized to conduct a feasibility study to integrate job search data systems.

(9) \$2,331,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed Act). This amount is authorized for hardware and software to ensure the ongoing, reliable operation of the telecenters.

(10) \$488,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) of the social security act (Reed Act). This amount is authorized for the relocation of the WorkSource office in Lakewood.

(11) \$6,218,000 of the family leave insurance account--state appropriation is provided solely for implementation of the family leave insurance program.

(a) The amount provided in this subsection assumes that, in developing the information technology systems to support the payment of benefits, the department will incorporate the claim filing and benefit payment efficiencies recommended by the joint legislative task force on family leave insurance in Part III of its final report dated January 23, 2008, including:

(i) Eliminating the option for awarding attorney fees and costs for administrative hearings;

(ii) Authorizing claims for benefits to be filed in the six-week period beginning on the first day of the calendar week in which the individual is on family leave;

(iii) Not requiring claimants to verify the birth of a child or the placement of a child for adoption;

(iv) Including an attestation from the claimant that written notice has been provided to the employer of the intention to take family leave; and

(v) Not deducting and withholding federal income taxes from benefit payments.

(b) In addition, the department shall incorporate the following claim filing and benefit payment efficiencies:

(i) Define "qualifying year" to mean the first four of the last five completed calendar quarters or, if eligibility is not established, the last four completed calendar immediately preceding the first day of the application year;

(ii) Allow individuals to file a claim for benefits in the six-week period beginning on the first day of the calendar year in which the individual is on family leave; and

(iii) After an initial family leave insurance benefit is paid, subsequent payments must be made biweekly, rather than semimonthly, thereafter.

(12) \$222,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement Engrossed Second Substitute House Bill No. 2815 (greenhouse gas emissions). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(13) \$155,000 of the unemployment compensation administration account--federal appropriation is provided solely to implement Second Substitute Senate Bill No. 6732 (construction industry). If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2007 c 522 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund--State Appropriation (FY 2008) . . . . .	\$524,000
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$548,000)</del>
	<u>\$537,000</u>
General Fund--Federal Appropriation . . . . .	\$9,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$1,056,000)</del>
	<u>\$1,045,000</u>
TOTAL APPROPRIATION . . . . .	<del>(\$2,137,000)</del>
	<u>\$2,115,000</u>

**Sec. 302.** 2007 c 522 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2008) . . . . .	<del>(\$50,030,000)</del>
	<u>\$50,109,000</u>
General Fund--State Appropriation (FY 2009) . . . . .	<del>(\$49,941,000)</del>
	<u>\$51,827,000</u>
General Fund--Federal Appropriation . . . . .	<del>(\$83,365,000)</del>
	<u>\$83,017,000</u>
General Fund--Private/Local Appropriation . . . . .	<del>(\$13,648,000)</del>
	<u>\$13,618,000</u>
Special Grass Seed Burning Research	
Account--State Appropriation . . . . .	\$14,000
Reclamation Account--State Appropriation . . . . .	<del>(\$4,073,000)</del>
	<u>\$4,207,000</u>
Flood Control Assistance Account--State	
Appropriation( <del>\$3,961,000</del> )	
	<u>\$4,151,000</u>
Aquatic Lands Enhancement Account--State Appropriation	
. . . . .	<u>\$400,000</u>
State Emergency Water Projects Revolving	
Account--State Appropriation . . . . .	\$390,000
Waste Reduction/Recycling/Litter	
Control--State Appropriation . . . . .	<del>(\$19,701,000)</del>
	<u>\$19,607,000</u>
State Drought Preparedness--State Appropriation . . . . .	<del>(\$117,000)</del>
	<u>\$115,000</u>
State and Local Improvements Revolving Account	
(Water Supply Facilities)--State Appropriation . . . . .	<del>(\$425,000)</del>
	<u>\$421,000</u>
Vessel Response Account--State Appropriation . . . . .	<del>(\$1,438,000)</del>
	<u>\$1,649,000</u>
Freshwater Aquatic Algae Control Account--State	
Appropriation . . . . .	\$509,000
Site Closure Account--State Appropriation . . . . .	<del>(\$702,000)</del>
	<u>\$694,000</u>
Water Quality Account--State Appropriation	
(FY 2008) . . . . .	<del>(\$16,490,000)</del>
	<u>\$15,137,000</u>
Water Quality Account--State Appropriation	
(FY 2009) . . . . .	<del>(\$15,894,000)</del>
	<u>\$17,086,000</u>
Wood Stove Education and Enforcement Account--State	
Appropriation . . . . .	<del>(\$373,000)</del>
	<u>\$370,000</u>
Worker and Community Right-to-Know Account--State	
Appropriation . . . . .	<del>(\$2,269,000)</del>
	<u>\$2,247,000</u>
State Toxics Control Account--State Appropriation	
. . . . .	<del>(\$98,184,000)</del>
	<u>\$99,383,000</u>
State Toxics Control Account--Private/Local	
Appropriation . . . . .	\$381,000
Local Toxics Control Account--State Appropriation	
. . . . .	<del>(\$19,154,000)</del>
	<u>\$20,952,000</u>

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Water Quality Permit Account--State Appropriation	(( <del>\$38,900,000</del> ))
	<u>\$37,101,000</u>
Underground Storage Tank Account--State Appropriation	(( <del>\$3,777,000</del> ))
	<u>\$3,750,000</u>
<del>(Environmental Excellence Account--State Appropriation</del>	<del>(\$504,000)</del>
Biosolids Permit Account--State Appropriation	(( <del>\$1,410,000</del> ))
	<u>\$1,396,000</u>
Hazardous Waste Assistance Account--State Appropriation	(( <del>\$5,902,000</del> ))
	<u>\$5,834,000</u>
Air Pollution Control Account--State Appropriation	(( <del>\$6,328,000</del> ))
	<u>\$6,306,000</u>
Oil Spill Prevention Account--State Appropriation	(( <del>\$12,614,000</del> ))
	<u>\$12,519,000</u>
Air Operating Permit Account--State Appropriation	(( <del>\$3,266,000</del> ))
	<u>\$2,780,000</u>
Freshwater Aquatic Weeds Account--State Appropriation	(( <del>\$1,697,000</del> ))
	<u>\$1,690,000</u>
Oil Spill Response Account--State Appropriation	\$7,078,000
Metals Mining Account--State Appropriation	\$14,000
Water Pollution Control Revolving Account--State Appropriation	(( <del>\$469,000</del> ))
	<u>\$464,000</u>
Water Pollution Control Revolving Account--Federal Appropriation	(( <del>\$2,297,000</del> ))
	<u>\$2,271,000</u>
Columbia River Water Delivery Account--State Appropriation	\$2,150,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$465,315,000</del>))</b>
	<b><u>\$469,637,000</u></b>

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

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

(2) \$256,000 of the general fund--state appropriation for fiscal year 2008, \$209,000 of the general fund--state appropriation for fiscal year 2009, and \$200,000 of the general fund--private local appropriation are provided solely to implement activities associated with a regional haze program. Funds shall be collected and expended in accordance with the terms of the contract entered into with affected businesses and the department of ecology.

(3) \$2,000,000 of the local toxics control account--state appropriation is provided solely to local governments outside of Puget Sound for municipal storm water programs, including but not limited to, implementation of phase II municipal storm water permits, source control for toxics in association with cleanup of contaminated sediment sites, and source control programs for shellfish protection districts where storm water is a significant contributor.

(4) Fees approved by the department of ecology in the 2007-09 biennium are authorized to exceed the fiscal growth factor under RCW 43.135.055. Pursuant to RCW 43.135.055, the department is further authorized to increase the following fees in fiscal year 2009 as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Wastewater discharge permit, not more than 5.57 percent; dam periodic inspection permit, not more than 5.57 percent; dam construction permit, not more than 5.57 percent; and mixed waste management, not more than 14.14 percent.

(5) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 and \$927,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to improve the performance of wetland mitigation. Of this amount, \$55,000 of the general fund--state appropriation for fiscal year 2008 and \$55,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support a wetland in Whatcom county. The program will engage local, state, and federal agencies, private investors, property owners, and others in the creation of one or more wetland banks and other measures to protect habitat functions and values while accommodating urban growth in the region. Priority shall be given to state and local government partnerships for wetland characterization. The department shall issue a report of its findings and recommendations on how wetland mitigation success can be improved to the office of financial management and the appropriate policy committees of the legislature.

(6) \$260,000 of the state toxics control account--state appropriation is provided solely to support pesticide container recycling activities in Washington.

(7) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a pilot project to provide grants to two local government jurisdictions located in the Puget Sound area to improve compliance with existing environmental laws. Grant funds shall be used for providing information on existing requirements, providing technical assistance necessary to comply on a voluntary basis, and taking enforcement action.

(8) \$1,257,000 of the reclamation account--state appropriation is provided solely to implement Substitute Senate Bill No. 5881 (water power license fees). If the bill is not enacted by June 30, 2007, the amount provided in this section shall lapse.

(9) \$694,000 of the underground storage tank account--state appropriation is provided solely to implement Substitute Senate Bill No. 5475 (underground storage tanks). If the bill is not enacted by June 30, 2007, the amount provided in this section shall lapse.

(10) \$2,026,000 of the local toxics control account--state appropriation is provided solely for local governments located near hazardous waste clean-up sites, including Duwamish Waterway, Commencement Bay, and Bellingham Bay, to work with small businesses and citizens to safely manage hazardous and solid wastes to prevent the contamination.

(11) \$876,000 of the state toxics control account and \$876,000 of the local toxics control account are provided solely for public participation grants related to toxic cleanup sites within and around Puget Sound.

(12) ~~(\$1,000,000)~~ \$831,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$1,000,000)~~ \$1,169,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement watershed plans. Of this amount, ~~(\$110,000)~~ \$313,650 of the general fund--state appropriation for fiscal year 2008 and ~~(\$160,000)~~ \$646,350 of the general fund--state appropriation for fiscal year 2009 are provided solely to support the implementation of the WRIA 1 watershed plan and the Bertrand watershed improvement district plan, including but not limited to implementation of the Nooksack River basin stream gauging program, study of the feasibility of a public utility district pipeline in the Bertrand watershed (and \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$350,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to study water storage and augmentation in the Bertrand watershed and \$90,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for plan preparation and development in the Fishtrap watershed), study and construction of water storage and augmentation in the Bertrand watershed, and preparation and development of the next subbasin watershed plan agreed to by the Bertrand instream flow policy group.



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(13) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Second Substitute House Bill No. 2220 (shellfish). The department shall develop, by rule, guidelines for the appropriate siting and operation of geoduck aquaculture operations to be included in any master program under the shorelines management act. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(14) \$15,000 of the general fund--state appropriation for fiscal year 2008 and \$15,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for convening a stakeholder group to recommend establishing a sustainable statewide regional CBRNE/Hazmat response capability.

(15) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement key recommendations and actions identified in the "Washington's Ocean Action Plan: Enhancing Management of Washington State's Ocean and Outer Coast". The department shall provide a progress report on implementing this plan to the appropriate policy committees of the legislature by December 31, 2008.

(16) ~~(\$300,000)~~ \$464,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$300,000)~~ \$136,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Engrossed Substitute Senate Bill No. 6001 (climate change). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(17) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to oversee beach seaweed removal in the west Seattle Fauntleroy community. The department may spend up to \$25,000 of this amount for its cost of administration.

(18) ~~(\$405,000)~~ \$693,000 of the state toxics control account is provided solely for implementation of Senate Bill No. 5421 (environmental covenants). If the bill is not enacted by June 30, 2007, the amount provided in this section shall lapse.

(19) \$99,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a marshland study of key areas of salmon habitat along the Snohomish river estuary.

(20) \$196,000 of the general fund--state appropriation for fiscal year 2008, \$132,000 of the general fund--state appropriation for fiscal year 2009, and \$19,000 of the oil spill prevention account appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the department shall execute activities as described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership).

(21) \$150,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the department to contract with the U.S. institute for environmental conflict resolution, a federal agency, to develop a pilot water management process with three federally recognized treaty Indian tribes. \$50,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the northwest Indian fisheries commission to help establish the pathway for the process in federal agencies.

(22) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to continue the pilot water pathways project through the remainder of the biennium. The department will work with the northwest Indian fisheries commission and the U.S. institute on environmental conflict resolution to find resolution on persistent water policy issues between tribes and nontribal entities.

(23) \$319,000 of the general fund--state appropriation for fiscal year 2008 and \$241,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the

implementation of Engrossed Second Substitute Senate Bill No. 6117 (reclaimed water). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((23))~~ (24) \$53,000 of the oil spill prevention account--state appropriation is provided solely for the implementation of Senate Bill No. 5552 (penalties for oil spills). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

~~((24))~~ (25) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the department to convene a shellfish aquaculture regulatory committee, composed of a balanced representation from interested state regulatory agencies, Native American tribes, local governments and the environmental and shellfish farming communities. The group will be facilitated by the office of regulatory assistance and will address federal, state, and local regulatory issues related to shellfish farming.

(26) Within the appropriations provided in this section for the development of water supplies in the Columbia river basin, the department shall assist county governments located east of the crest of the Cascade mountain range that: Have an international border; or border a county with an international boundary and a county with four hundred thousand or more residents, to identify water supply projects to compete for funding from the Columbia river basin water management program. The department shall provide technical assistance as needed to further refine priority projects identified by these counties. The department shall consider and balance regional water supply needs in its funding allocation decisions made as a part of this program.

(27) \$261,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department to prepare, by June 30, 2009, a data gap analysis that includes a summary of historic and current monitoring of groundwater levels and water quality within each water resource inventory area (WRIA); an evaluation of the completeness and quality of the data and conclusions produced from such monitoring; priorities for enhanced groundwater monitoring where water levels and water quality are of concern; recommendations regarding quality controls and other protocols associated with data collection; a summary and compilation of existing studies of groundwater levels, water quality, and monitoring activities; and recommendations of components necessary to establish a comprehensive, statewide groundwater monitoring and assessment program and the funding necessary to implement the program.

(28) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for coordinating with the University of Washington to assess the current energy profile of Washington state pulp and paper mills. The energy consumption and energy generation capability will be determined for both steam and electrical power. In addition, the sources and types of fuels used in various boilers will be assessed.

(29) \$195,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to support a collaborative process to design a proposed comprehensive water management structure for the Walla Walla river basin. The proposed structure should address the allocation of functions, authorities, resource requirements, and issues associated with interstate watershed management of the basin. Invited participants should include but not be limited to the confederated tribes of the Umatilla Indian reservation; appropriate state agencies; and Walla Walla basin interests such as municipalities, irrigation districts, conservation districts, fisheries, agriculture, economic development, and environmental representatives. A report outlining the proposed governance and water management structure shall be submitted to the governor and the appropriate committees of the legislature by November 15, 2008.

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(30) \$333,000 of the state toxics control account--state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2647 (children's safe products). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(31) \$256,000 of the general fund--state appropriation for fiscal year 2008 and \$1,027,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for Engrossed Second Substitute House Bill No. 2815 (reducing greenhouse gases emissions in the Washington economy). In participating in the western climate initiative under Engrossed Second Substitute House Bill No. 2815, the director of the department shall seek to ensure that the design for a regional multisector market-based system confers equitable economic benefits and opportunities to electric utilities operating in Washington by having that system recognize at least the following: (a) Voluntary investments made by Washington utilities in energy efficiency measures; (b) emission reduction benefits that other state and provincial participants in the western climate initiative derive from consuming renewable energy generated in Washington; and (c) adverse impacts that climate change uniquely has upon the capabilities of hydroelectric power generation. Washington state's representatives to the western climate initiative process shall advocate for a regional multisector market-based design that addresses competitive disadvantages that could be experienced by in-region industries as compared to industries in states or countries that do not have greenhouse gas reduction programs that are substantively equivalent to the system designed under the western climate initiative process. If the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(32) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute House Bill No. 3186 (beach management districts). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(33) The appropriations in this section provide specific funds to implement Second Substitute House Bill No. 3227 (Hood Canal water quality).

(34) Within the appropriations provided in this section the department shall ensure that standard statewide protocols for surface water monitoring are developed and included in status and trends monitoring to utilize information from other entities, including other state agencies, local governments, and volunteer groups.

(35)(a) \$2,000,000 of the Columbia river water delivery account appropriation is provided solely for distribution to affected counties as defined in Engrossed Second Substitute Senate Bill No. 6874 (Columbia river water) to mitigate for negative impacts caused by releases of Lake Roosevelt water for the purposes described in that bill. The criteria for allocating these funds shall be developed by the department in consultation with affected local governments.

(b) \$150,000 of the Columbia river water delivery account appropriation is provided solely for the department to retain a contractor to perform an independent analysis of legislative options to protect rural communities in northeast Washington from disproportionate economic, agricultural, and environmental impacts when upstream water rights are purchased and transferred for use, or idled and used as mitigation, in a downstream watershed or county. Before retaining a contractor, the department shall consult with affected counties as defined in Engrossed Second Substitute Senate Bill No. 6874 (Columbia river water). The contractor selected shall conduct the independent analysis and develop a report describing options and recommended actions. The department of ecology shall provide the report to the appropriate committees of the legislature by December 1, 2008.

(c) If Engrossed Second Substitute Senate Bill No. 6874 (Columbia river water delivery) is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(36) \$210,000 of the local toxics control account--state appropriation is provided solely to clean up naturally occurring asbestos from Swift Creek.

(37) \$85,000 of the state toxics control account--state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6502 (release of mercury). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(38) \$80,000 of the state toxics control account--state appropriation is provided solely for the department to create a stakeholder advisory committee to review and develop recommendations to help businesses achieve a fifty percent toxics reduction use goal. The committee shall: (a) Review and make recommendations to improve the effectiveness and delivery of technical assistance in pollution prevention planning; (b) develop recommendations for strategies to encourage moving away from "end-of-pipe" pollution reduction approaches to increase hazardous waste prevention throughout the state; and (c) review and make recommendations on revising the hazardous waste planning fee under RCW 70.95E.030, including opportunities to provide incentives that reward businesses for toxic use reduction successes in meeting a fifty percent toxics use reduction goal. The committee shall report its findings and recommendations to the fiscal and policy committees of the senate and house of representatives by November 1, 2008.

(39) \$108,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Engrossed Substitute Senate Bill No. 6308 (relating to climate change research, preparation, and adaptation). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(40) \$70,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute Senate Bill No. 6805 (relating to promoting farm and forest land preservation and environmental restoration through conservation markets). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 303. 2007 c 522 s 303 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund--State Appropriation (FY 2008)	<del>(\$48,365,000)</del>
	\$48,970,000
General Fund--State Appropriation (FY 2009)	<del>(\$50,166,000)</del>
	\$49,187,000
General Fund--Federal Appropriation . . . . .	<del>(\$4,545,000)</del>
	\$5,731,000
General Fund--Private/Local Appropriation . . . . .	\$73,000
Winter Recreation Program Account--State	
Appropriation . . . . .	<del>(\$1,116,000)</del>
	\$1,559,000
Off-Road Vehicle Account--State Appropriation . .	<del>(\$238,000)</del>
	\$234,000
Snowmobile Account--State Appropriation . . . .	<del>(\$4,839,000)</del>
	\$4,829,000
Aquatic Lands Enhancement Account--State	
Appropriation . . . . .	<del>(\$365,000)</del>
	\$363,000
Public Safety and Education Account--State	
Appropriation (FY 2008) . . . . .	\$23,000
Public Safety and Education Account--State	
Appropriation (FY 2009) . . . . .	\$24,000
Parks Renewal and Stewardship Account--State	
Appropriation . . . . .	<del>(\$36,606,000)</del>
	\$36,534,000
Parks Renewal and Stewardship Account--Private/Local	

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Appropriation .....	\$300,000
TOTAL APPROPRIATION	<del>(\$146,660,000)</del>
	\$147,827,000

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

(1) Fees approved by the state parks and recreation commission in the 2007-09 biennium are authorized to exceed the fiscal growth factor under RCW 43.135.055.

(2) \$79,000 of the general fund--state appropriation for fiscal year 2008 and \$79,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant for the operation of the Northwest avalanche center.

(3) \$300,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for project scoping and cost estimating for the agency's 2009-11 capital budget submittal.

(4) \$2,255,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for costs associated with relocating the commission's Tumwater headquarters office.

(5) \$272,000 of the general fund--state appropriation for fiscal year 2008 and \$271,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for costs associated with relocating the commission's eastern Washington regional headquarters office.

(6) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 and \$1,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for replacing vehicles and equipment.

(7) \$1,611,000 of the general fund--state appropriation for fiscal year 2008 and \$1,428,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for planned and emergency maintenance of park facilities.

(8) \$1,700,000 of the general fund--federal appropriation for fiscal year 2009 is provided solely for the recreational boating safety program.

(9) \$954,000 of the general fund--state appropriation for fiscal year 2008 and \$1,007,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operations of Cama Beach state park.

(10) \$25,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Substitute Senate Bill No. 5219 (weather and avalanche center). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(11) \$9,000 of the general fund--state appropriation for fiscal year 2008 and \$9,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Substitute Senate Bill No. 5463 (forest fire protection). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(12) ~~(\$42,000)~~ \$9,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$42,000)~~ \$9,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Substitute Senate Bill No. 5236 (public lands management). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(13) \$264,000 of the general fund--state appropriation for fiscal year 2008 and \$217,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to establish a pilot lifeguard program at Lake Sammamish and Nolte state parks. The department shall complete a comprehensive risk analysis to determine if expansion of the lifeguard program or other drowning risk reduction measures should be implemented. The department shall report its findings to the office of financial management and the appropriate committees of the legislature by July 1, 2009.

(14) ~~(\$232,000)~~ \$455,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$233,000)~~ \$10,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the development of a long-range plan for

Fort Worden state park, including architectural and site design guidelines, business and operations implementation, site and facilities use plan, and for the department to convene a task force to recommend alternative governance structures for the park.

(15) \$1,600,000 of the parks renewal stewardship account--state appropriation is provided solely for operating state parks, developing and renovating park facilities, undertaking deferred maintenance, enhancing park stewardship and other state park purposes, pursuant to Substitute House Bill No. 2275 (raising funds for state parks). Expenditures from the amount provided in this subsection shall not exceed actual revenues received under Substitute House Bill No. 2275. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(16) \$40,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2514 (orca whale protection). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(17) \$58,000 of the general fund--state appropriation for fiscal year 2008 and \$73,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for one-time financial assistance to the northwest weather and avalanche center, administered by the United States forest service, to keep the center operational through the remainder of the biennium.

(18) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for grants to the Mount Tahoma trails association to assist with purchase of snow equipment.

(19) \$120,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5010 (foster home pass). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 304. 2007 c 522 s 304 (uncodified) is amended to read as follows:

**FOR THE ((INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION)) RECREATION AND CONSERVATION FUNDING BOARD**

General Fund--State Appropriation (FY 2008) . . . .	\$1,557,000
General Fund--State Appropriation (FY 2009) . . . .	<del>(\$1,600,000)</del>
	\$1,592,000
General Fund--Federal Appropriation . . . . .	<del>(\$18,409,000)</del>
	\$18,382,000
General Fund--Private/Local Appropriation . . . . .	\$250,000
Aquatic Lands Enhancement Account--State	
Appropriation . . . . .	<del>(\$277,000)</del>
	\$275,000
Water Quality Account--State Appropriation (FY 2008)	
.....	\$100,000
Water Quality Account--State Appropriation (FY 2009)	
.....	\$100,000
Firearms Range Account--State Appropriation . . . . .	\$37,000
Recreation Resources Account--State Appropriation	
.....	<del>(\$2,819,000)</del>
	\$2,773,000
Nonhighway and Off-Road Vehicles Activities Program	
Account--State Appropriation . . . . .	\$1,004,000
Boating Activities Account--State Appropriation . . . . .	\$2,000,000
TOTAL APPROPRIATION . . . . .	<del>(\$28,153,000)</del>
	\$28,070,000

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

(1) \$16,025,000 of the general fund--federal appropriation is provided solely for implementation of the forest and fish agreement rules. These funds shall be allocated to the department of natural resources and the department of fish and wildlife.

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(2) \$22,000 of the general fund--state appropriation for fiscal year 2008 and \$22,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the department shall execute activities as described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership).

(3) \$2,000,000 of the boating activities account--state appropriation is provided solely to implement Substitute House Bill No. 1651 (boating activities). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

Sec. 305. 2007 c 522 s 305 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2008), General Fund--State Appropriation (FY 2009), and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following condition and limitation: \$10,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for employee retirement buyout costs.

Sec. 306. 2007 c 522 s 306 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2008), General Fund--State Appropriation (FY 2009), General Fund--Federal Appropriation, Water Quality Account--State Appropriation (FY 2008), Water Quality Account--State Appropriation (FY 2009), and TOTAL APPROPRIATION.

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

(1) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for supplementary basic funding grants to the state's lowest-income conservation districts. The supplementary grant process shall be structured to aid recipients in becoming financially self-sufficient in the future.

(2) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Substitute Senate Bill No. 5108 (office of farmland preservation). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(3) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the pioneers in conservation program to provide grants through a competitive process to agricultural landowners for projects that benefit fish and wildlife restoration and farm operations. Grants must be matched by an equal amount or more from nonstate sources with priority for projects identified in the Puget Sound Chinook salmon recovery plan and the Puget Sound partnership strategy.

(4) \$78,000 of the general fund--state appropriation for fiscal year 2008 and \$72,000 of the general fund--state

appropriation for fiscal year 2009 are provided solely to implement Engrossed Second Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the department shall execute activities as described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership).

(5) \$250,000 of the water quality account--state appropriation for fiscal year 2009 is provided solely for livestock nutrient program cost share for the poultry industry.

(6) \$35,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for support of conservation resource management.

(7) \$174,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Substitute Senate Bill No. 6805 (conservation markets). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 307. 2007 c 522 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2008), General Fund--State Appropriation (FY 2009), General Fund--Federal Appropriation, General Fund--Private/Local Appropriation, Off-Road Vehicle Account--State Appropriation, Aquatic Lands Enhancement Account--State Appropriation, Public Safety and Education Account--State Appropriation (FY 2008), Public Safety and Education Account--State Appropriation (FY 2009), Recreational Fisheries Enhancement--State Appropriation, Warm Water Game Fish Account--State Appropriation, Eastern Washington Pheasant Enhancement Account--State Appropriation, Aquatic Invasive Species Enforcement Account--State Appropriation, Aquatic Invasive Species Prevention Account--State Appropriation, Wildlife Account--State Appropriation, Wildlife Account--Federal Appropriation, Wildlife Account--Private/Local Appropriation, Game Special Wildlife Account--State Appropriation, Game Special Wildlife Account--Federal Appropriation, Game Special Wildlife Account--Private/Local Appropriation, Water Quality Account--State Appropriation (FY 2008), and Water Quality Account--State Appropriation (FY 2009).

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.....	\$160,000
<del>((Environmental Excellence Account--State Appropriation</del>	<del>(\$15,000))</del>
Regional Fisheries Salmonid Recovery Account--Federal	
Appropriation .....	<del>(\$2,751,000)</del>
	\$5,001,000
Oil Spill Prevention Account--State Appropriation	
.....	<del>(\$1,104,000)</del>
	\$1,093,000
Oyster Reserve Land Account--State Appropriation	<del>(\$417,000)</del>
	\$416,000
Wildlife Rehabilitation Account--State Appropriation	
.....	<del>(\$352,000)</del>
	\$270,000
TOTAL APPROPRIATION	<del>(\$344,547,000)</del>
	\$345,383,000

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

(1) The department shall use the department of printing for printing needs. Funds provided in this section may not be used to staff or fund a stand-alone printing operation.

(2) \$175,000 of the general fund--state appropriation for fiscal year 2008 and \$175,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of hatchery reform recommendations defined by the hatchery scientific review group.

(3) The department shall support the activities of the aquatic nuisance species coordination committee to foster state, federal, tribal, and private cooperation on aquatic nuisance species issues. The committee shall strive to prevent the introduction of nonnative aquatic species and to minimize the spread of species that are introduced.

(4) The department shall emphasize enforcement of laws related to protection of fish habitat and the illegal harvest of salmon and steelhead. Within the amount provided for the agency, the department shall provide support to the department of health to enforce state shellfish harvest laws.

(5) \$400,000 of the general fund--state appropriation for fiscal year 2008 and \$400,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the U.S. army corps of engineers.

(6) The department shall assist the office of regulatory assistance in implementing activities consistent with the governor's regulatory improvement program. The department shall support and provide expertise to facilitate, coordinate, and simplify citizen and business interactions so as to improve state regulatory processes involving state, local, and federal stakeholders.

(7) \$634,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for operations and fish production costs at department-operated Mitchell act hatchery facilities.

~~(8) ((Within the amount provided for the agency, the department shall implement a joint management and collaborative enforcement agreement with the confederated tribes of the Colville and the Spokane tribe.)) \$609,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department to implement a pilot project with the Confederated Tribes of the Colville Reservation to develop expanded recreational fishing opportunities on Lake Rufus Woods and its northern shoreline and to conduct joint enforcement of lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to state and tribal intergovernmental agreements developed under the Columbia River water supply program.~~

(a) For the purposes of the pilot project:

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

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

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

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

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

(b) The director, in collaboration with the Colville Tribes, shall provide an interim report to the office of financial management and the appropriate committees of the legislature by December 31, 2008. The report shall describe the status of the pilot project, and make recommendations as needed to fully implement the project, pursuant to the state and tribal agreement on Lake Rufus Woods.

(9) \$182,000 of the general fund--state appropriation for fiscal year 2008 and \$182,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to continue the ballast water management program in Puget Sound and expand the program to include the Columbia river and coastal ports.

(10) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for hatchery facility maintenance improvements.

(11) \$440,000 of the general fund--state appropriation for fiscal year 2008 and \$409,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for estimates of juvenile abundance of federally listed salmon and steelhead populations. The department shall report to the office of financial management and the appropriate fiscal committees of the legislature with a letter stating the use and measurable results of activities that are supported by these funds.

(12) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$125,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the strategic budget and accountability program.

(13) \$113,000 of the general fund--state appropriation for fiscal year 2008 and \$113,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the department shall execute activities as described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership).

(14) Prior to submitting its 2009-11 biennial operating and capital budget request related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review this request. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management and the appropriate legislative committees by October 1, 2008.

(15) \$43,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the implementation of Substitute Senate Bill No. 5447 (coastal Dungeness crab). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

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(16) \$4,000 of the general fund--state appropriation for fiscal year 2008 and \$4,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 5463 (forest fire protection). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(17) \$89,000 of the general fund--state appropriation for fiscal year 2008 and \$89,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 6141 (forest health). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(18) \$204,000 of the aquatic invasive species enforcement account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5923 (aquatic invasive species). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

~~(19) (\$42,000 of the general fund--state appropriation for fiscal year 2008 and \$42,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 5236 (public lands management). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.~~

~~(20))~~ (20) \$352,000 of the wildlife rehabilitation account is provided solely for the implementation of Senate Bill No. 5188 (wildlife rehabilitation). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((21))~~ (21) \$77,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department of fish and wildlife to participate in the upper Columbia salmon recovery plan implementation, habitat conservation plan hatchery committees, and the priest rapids salmon and steelhead agreement hatchery technical committee.

~~((22))~~ (21)(a) Within existing funds, the department of fish and wildlife shall sell the upper 20-acre parcel of the Beebe springs property.

(b) Proceeds from the sale are to be used to develop the Beebe springs natural interpretive site. Up to \$300,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the development of the Beebe springs natural interpretive site. The department shall not expend more than the amount received from the sale proceeds.

~~((25))~~ (22) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$49,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Substitute House Bill No. 2049 (marine resource committees). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((26))~~ (23) \$35,000 of the general fund--state appropriation for fiscal year 2008 and \$35,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a study of introducing oxygen to the waters of Hood Canal. The study shall propose a location in a small marine area where a large number of bottom-dwelling fish species exist, and analyze the impact of injected dissolved oxygen on aquatic life. The department shall report to the appropriate committees of the legislature on the results of the study and recommend whether to proceed with a project to inject oxygen into Hood Canal.

~~((27))~~ (24) \$1,310,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to replace state wildlife account funds for the engineering program and ~~(\$1,190,000))~~ \$610,000 of the general fund--state appropriation for fiscal year 2008 are provided solely to replace state wildlife account funds for the hydraulic project permitting program, including the development of a permit fee schedule for the hydraulic project approval program to make the program self supporting. Fees may be based on factors relating to the complexity of the permit issuance. The fees received by the department must be deposited into the state wildlife account and shall be expended exclusively for the purposes of the hydraulic

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project permitting program. By December 1, 2008, the department shall provide a permit fee schedule for the hydraulic project approval program to the office of financial management and the appropriate committees of the legislature.

~~((28))~~ (25) \$245,000 of the general fund--state appropriation for fiscal year 2008 and \$245,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the department to work in cooperation with the department of natural resources to assist with the implementation of the wild horse coordinated resource management plan. Implementation may include providing grant funding to other state and nonstate entities as needed.

~~((29))~~ (26) \$270,000 of the general fund--state appropriation for fiscal year 2008 and \$270,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to develop siting guidelines for power generation facilities, provide technical assistance for permitting, support voluntary compliance with the guidelines, and to conduct bird and wildlife assessments on state lands most eligible for wind power leases.

~~((31))~~ (27) \$50,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to implement Second Substitute House Bill No. 2220 (shellfish). The department shall develop and maintain an electronic database for aquatic farmer registration. If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(28) During the 2007-09 biennium, the department shall not make a permanent closure of any hatchery facility currently in operation.

(29) Within existing funds, the department shall continue implementing its capital program action plan dated September 1, 2007, including the purchase of the necessary maintenance and support costs for the capital programs and engineering tools. The department shall report to the office of financial management and the appropriate committees of the legislature, its progress in implementing the plan, including improvements instituted in its capital program, by September 30, 2008.

(30) \$46,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2514 (orca whale protection). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(31) \$24,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of House Bill No. 3186 (beach management districts). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(32) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for compensation for damage to livestock by wildlife.

(33) The department shall complete an inventory of department purchased or leased lands acquired for mixed agriculture and fish and wildlife habitat and provide for each purchase or lease agreement the cost and date of the agreement, the previous use of the land, any agreement or deed specifying continuing use of the land, and the current management cost and status of each parcel of purchased or leased lands. The department shall provide the inventory to the appropriate committees of the legislature by December 1, 2008.

(34) \$289,000 of the general fund--state appropriation for fiscal year 2008 and \$301,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for selective fisheries.

(35) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for removal of derelict gear in Washington waters.

(36) \$135,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a review of the effectiveness of the department's existing hydraulic project approval process and environmental outcomes.

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(37) \$75,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement the 2008 Wiley Slough restoration project report to the legislature recommendation to establish a private farmland, public recreation partnership that would provide farmland preservation, waterfowl management, and public recreational access.

(38) \$95,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Ebey Island property management costs.

(39)(a) A work group on Electron dam salmon passage is established, with members as provided in this subsection.

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

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The department of fish and wildlife shall appoint at least one representative from each of the following entities: The department of fish and wildlife, Puyallup Tribe of Indians, and Puget Sound energy.

(b) The department of fish and wildlife shall provide staff support to the work group.

(c) The work group shall study possible enhancements for improving outbound juvenile salmon passage at Electron dam on the Puyallup river.

(d) Legislative members of the work group shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(e) The expenses of the work group, other than travel expenses of legislative members, shall be paid within existing funds from the department of fish and wildlife.

(f) The work group shall present its findings and recommendations to the appropriate committees of the legislature by January 1, 2009.

(g) This subsection expires January 1, 2009.

(40) As part of its 2009-11 biennial budget request, the department shall submit a report detailing the methodology for determining the value of payment in lieu of taxes as provided in RCW 79.70.130. At a minimum, the report will show the number of acres subject to the payment in lieu of taxes, the tax rates assumed by each affected county, and the resulting value of the state general fund obligation.

(41) Within the appropriations in this section, specific funding is provided to implement Engrossed Senate Bill No. 6821 (fish and wildlife information).

(42) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Second Substitute Senate Bill No. 6227 (outer coast marine resources committees). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(43) \$115,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute Senate Bill No. 6231 (marine protected areas). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(44) \$46,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute Senate Bill No. 6307 (Puget Sound marine managed areas). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

**Sec. 308.** 2007 c 522 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund--State Appropriation (FY 2008)	<del>(\$48,497,000)</del>
	\$50,328,000
General Fund--State Appropriation (FY 2009)	<del>(\$50,818,000)</del>
	\$51,345,000

General Fund--Federal Appropriation	<del>(\$25,235,000)</del>
	\$27,855,000
General Fund--Private/Local Appropriation	<del>(\$1,413,000)</del>
	\$1,408,000
Forest Development Account--State Appropriation	<del>(\$58,165,000)</del>
	\$57,616,000
Off-Road Vehicle Account--State Appropriation	<del>(\$4,318,000)</del>
	\$4,196,000
Surveys and Maps Account--State Appropriation	<del>(\$2,536,000)</del>
	\$2,524,000
Aquatic Lands Enhancement Account--State	
Appropriation	<del>(\$7,773,000)</del>
	\$7,899,000
Resources Management Cost Account--State	
Appropriation	<del>(\$96,177,000)</del>
	\$95,326,000
Surface Mining Reclamation Account--State	
Appropriation	<del>(\$3,295,000)</del>
	\$3,280,000
Disaster Response Account--State Appropriation	\$5,000,000
Forest and Fish Support Account--State Appropriation	<del>(\$4,000,000)</del>
	\$7,000,000
Water Quality Account--State Appropriation (FY 2008)	
	\$1,348,000
Water Quality Account--State Appropriation (FY 2009)	<del>(\$1,360,000)</del>
	\$1,349,000
Aquatic Land Dredged Material Disposal Site	
Account--State Appropriation	<del>(\$1,337,000)</del>
	\$1,335,000
Natural Resources Conservation Areas Stewardship	
Account--State Appropriation	\$34,000
State Toxics Control Account--State Appropriation	\$80,000
Air Pollution Control Account--State Appropriation	<del>(\$570,000)</del>
	\$567,000
Nonhighway and Off-Road Vehicle Activities Program	
Account--State Appropriation	\$982,000
Derelict Vessel Removal Account--State Appropriation	<del>(\$3,652,000)</del>
	\$3,650,000
Agricultural College Trust Management Account--State	
Appropriation	<del>(\$2,064,000)</del>
	\$2,047,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$318,654,000)</b></del>
	<b>\$325,169,000</b>

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

(1) ~~(\$122,000)~~ \$1,021,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$162,000)~~ \$1,043,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) ~~(\$11,463,000)~~ \$13,920,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$13,792,000)~~ \$13,542,000 of the general fund--state appropriation for fiscal year 2009, and \$5,000,000 of the disaster response account--state appropriation are provided solely for emergency fire suppression. None of the general fund and disaster response account amounts provided in this subsection may be used to fund agency indirect and administrative expenses. Agency indirect and administrative costs shall be allocated among the agency's remaining accounts and appropriations.

(3) Fees approved by the department of natural resources and the board of natural resources in the 2007-09 biennium are authorized to exceed the fiscal growth factor under RCW 43.135.055.

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(4) \$198,000 of the general fund--state appropriation for fiscal year 2008 and \$199,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to work with appropriate stakeholders and state agencies in determining how privately owned lands, in combination with other land ownership such as public and tribal lands, contribute to wildlife habitat. The assessment will also determine how commercial forests, forest lands on the urban fringe, and small privately-owned forest lands that are managed according to Washington's forest and fish prescriptions, in combination with other forest management activities, function as wildlife habitat now and in the future.

(5) ~~(\$2,500,000)~~ \$5,000,000 of the forest and fish support account--state appropriation is provided solely for adaptive management, monitoring, and participation grants to tribes. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse. The department shall compile the outcomes of these grants annually and submit them to the office of financial management by September 1 of 2008 and 2009.

(6) \$400,000 of the forest and fish support account--state appropriation is provided solely for adaptive management, monitoring, and participation grants to the departments of ecology and fish and wildlife. If federal funding for this purpose is reinstated, this subsection shall lapse.

(7) The department shall prepare a feasibility study that analyzes applicable business processes and develops the scope, requirements, and alternatives for replacement of the department's current suite of payroll-support systems. The department shall use an independent consultant to assist with the study, and shall submit the completed analysis to the office of financial management, the department of personnel, and the department of information services by August 1, 2008.

(8) \$600,000 of the general fund--state appropriation for fiscal year 2008 and \$600,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to continue interagency agreements with the department of fish and wildlife and the department of ecology for forest and fish report field implementation tasks.

(9) All department staff serving as recreation-management trail stewards shall be noncommissioned.

(10) \$112,000 of the aquatic lands enhancement account--state appropriation is provided solely for spartina eradication efforts. The department may enter into agreements with federal agencies to eradicate spartina from private lands that may provide a source of reinfestation to public lands.

(11) \$40,000 of the general fund--state appropriation for fiscal year 2008 and \$40,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to convene and staff a work group to study issues related to wildfire prevention and protection. The work group shall be composed of members representing rural counties in eastern and western Washington, fire districts, environmental protection organizations, industrial forest landowners, the agricultural community, the beef industry, small forest landowners, the building industry, realtors, the governor or a designee, the insurance commissioner or a designee, the office of financial management, the state fire marshal or a designee, the state building code council, and the commissioner or public lands or a designee. The work group shall issue a report of findings and recommendations to the appropriate committees of the legislature by August 1, 2008.

(12) \$249,000 of the aquatic lands enhancement account--state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the department shall execute activities as described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership).

(13) \$2,000,000 of the derelict vessel removal account--state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6044 (derelict

vessels). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(14) ~~(\$42,000)~~ \$34,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$42,000)~~ \$34,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 5236 (public lands management). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(15) \$14,000 of the forest development account--state appropriation and \$52,000 of the resources management cost account--state appropriation are provided solely for implementation of Substitute Senate Bill No. 5463 (forest fire protection). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(16) ~~(\$1,000,000)~~ \$100,000 of the general fund--state appropriation for fiscal year 2008 ~~(ts)~~ and \$900,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the removal of one or two large floating dry docks off Lake Washington near the Port Quendall site in north Renton.

(17) \$547,000 of the general fund--state appropriation for fiscal year 2008 and \$726,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute Senate Bill No. 6141 (forest health). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(18) \$22,000 of the surface mining reclamation account--state appropriation and \$22,000 of the resources management cost account--state appropriation are provided solely for the implementation of Substitute Senate Bill No. 5972 (surface mining reclamation). If the bill is not enacted by June 30, 2007, the amounts in this subsection shall lapse.

(19) \$125,000 of the general fund--state appropriation for fiscal year 2008, \$125,000 of the general fund--state appropriation for fiscal year 2009, and \$250,000 of the resource management cost account--state appropriation are provided solely to extend the 2005-2007 contract with the University of Washington college of forestry resources for additional research and technical assistance on the future of Washington forests. Reports shall be submitted by June 30, 2009, to the appropriate committees of the legislature on the following topics:

(a) An exploration of the potential markets for renewable energy from biomass from Washington forests, especially from material removed from eastern Washington forests as part of forest health improvement efforts. This exploration shall assess the feasibility of converting large amounts of underutilized forest biomass into useful products and green energy by providing required analyses needed to efficiently collect and deliver forest biomass to green energy end users. The role of transportation and processing infrastructure in developing markets for such material for both clean energy and value-added products shall be included in the exploration. The college shall coordinate with Washington State University efforts to identify what new biological, chemical, and engineering technologies are emerging for converting forest biomass to clean and efficient energy.

(b) Recommendations for the college's northwest environmental forum for retaining the highest valued working forest lands at risk of conversion to nonforest uses. These recommendations should include an examination of means to enhance biodiversity through strategic retention of certain lands, as well as economic incentives for landowners to retain lands as working forests and provide ecosystem services. The recommendations shall consider the health and value of the forest lands, the rate of loss of working forest lands in the area, the risk to timber processing infrastructure from continued loss of working forest lands, and the multiple benefits derived from retaining working forest lands. The recommendations shall prioritize forest lands in the Cascade foothills, which include the area generally encompassing the nonurbanized lands within the



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Cascade mountain range and drainages lying between three hundred and three thousand feet above mean sea level, and located within Whatcom, Skagit, Snohomish, King, Pierce, Thurston, and Lewis counties.

(20) \$25,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for Chelan county, as the chair of the Stemilt partnership, to perform the following:

(a) Work with private and public land management entities to identify and evaluate land ownership possibilities;

(b) Allocate up to \$10,000 to the department of fish and wildlife to perform technical studies, baseline assessments, environmental review, due diligence, and similar real estate evaluations; and

(c) Implement real estate transactions based on the results of the studies.

(21) \$15,000 of the general fund--state appropriation for fiscal year 2008 and \$15,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for health benefits to Washington conservation corps employees.

(22) \$300,000 of the general fund--state appropriation for fiscal year 2008 and \$300,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for staff support for the natural heritage program to integrate, analyze, and provide bird area information, and for state designations and mapping support, among other activities.

(23) \$48,000 of the resource management cost account--state appropriation is provided solely to implement Second Substitute House Bill No. 2220 (shellfish). The department shall participate in a shellfish aquaculture regulatory committee, convened by the department of ecology. If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(24) \$150,000 of the general fund--private/local appropriation is provided solely for the implementation of Substitute Senate Bill No. 5445 (cost-reimbursement agreements). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(25) \$191,000 of the aquatic lands enhancement account--state appropriation is provided solely for the department to coordinate with the Puget Sound partnership to complete a final habitat conservation plan for state-owned aquatic lands and an environmental impact statement by June 2009.

(26) \$251,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2844 (urban forestry). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(27) \$20,000 of the resource management cost account--state appropriation is provided solely for implementation of House Bill No. 3186 (beach management districts). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(28) \$80,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to complete maps of lower Hood Canal, including subsurface geologic layers, lithology, digital layers, and maps to identify liquifiable sediments for hazard mitigation. The department shall provide a report to the appropriate committees of the legislature on maps that were produced by December 1, 2008.

(29) As part of its 2009-11 biennial budget request, the department shall submit a report detailing the methodology for determining the value of payment in lieu of taxes as provided in RCW 79.70.130. At a minimum, the report will show the number of acres subject to the payment in lieu of taxes, the tax rates assumed by each affected county, and the resulting value of the state general fund obligation.

(30) \$200,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to supplement other available funds for an analysis of whether forest practices rules (including

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rules for harvest on potentially unstable slopes, road construction and maintenance, and post-harvest slash treatment effectively protect public resources and public safety from landslides, and other storm-related impacts. The analysis is to be accomplished using the forest practices board adaptive management process. The cooperative monitoring, evaluation, and research (CMER) committee of the adaptive management program shall submit a report of its preliminary analysis and conclusions to the appropriate committees of the legislature by December 1, 2008. The forest practices board shall submit a complete report of the CMER study on the effectiveness of current prescriptions and practices by June 30, 2009. This amount is ongoing solely to make improvements to the state's geological survey.

(31) \$26,000 of the general fund--state appropriation for fiscal year 2008 and \$71,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Substitute House Bill No. 2472 (recreational opportunities).

Sec. 309. 2007 c 522 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund--State Appropriation (FY 2008)	<del>(\$14,071,000)</del>
	\$14,073,000
General Fund--State Appropriation (FY 2009)	<del>(\$14,152,000)</del>
	\$14,555,000
General Fund--Federal Appropriation . . . . .	<del>(\$11,441,000)</del>
	\$11,329,000
General Fund--Private/Local Appropriation . . . . .	<del>(\$422,000)</del>
	\$420,000
Aquatic Lands Enhancement Account--State Appropriation . . . . .	<del>(\$2,062,000)</del>
	\$2,052,000
Energy Freedom Account--State Appropriation . . . . .	\$500,000
Water Quality Account--State Appropriation (FY 2008)	604,000
Water Quality Account--State Appropriation (FY 2009)	<del>(\$618,000)</del>
	\$605,000
State Toxics Control Account--State Appropriation	<del>(\$4,120,000)</del>
	\$4,100,000
Water Quality Permit Account--State Appropriation	<del>(\$61,000)</del>
	\$59,000
TOTAL APPROPRIATION . . . . .	<del>(\$48,051,000)</del>
	\$48,297,000

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

(1) Fees and assessments approved by the department in the 2007-09 biennium are authorized to exceed the fiscal growth factor under RCW 43.135.055. Pursuant to RCW 43.135.055, during fiscal year 2009 the department is further authorized to increase the apple pest certification assessment by up to \$0.015 per hundredweight of fruit.

(2) Within funds appropriated in this section, the department, in addition to the authority provided in RCW 17.26.007, may enter into agreements with federal agencies to eradicate spartina from private lands that may provide a source of reinfestation to public lands.

(3) \$78,000 of the general fund--state appropriation for fiscal year 2008 and \$72,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, the department shall execute activities as described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership).

(4) \$62,000 of the general fund--state appropriation for fiscal year 2008 and \$63,000 of the general fund--state

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appropriation for fiscal year 2009 are provided solely for a study to evaluate the use of sugar beets for the production of biofuels.

(5) \$275,000 of the general fund--state appropriation for fiscal year 2008 and \$275,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for direct allocation, without deduction, to the Washington tree fruit research commission, established under chapter 15.26 RCW, for development and implementation of a pest management transition program to reduce the use by the tree fruit industry of certain organophosphate insecticides.

(6) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for distribution to counties with weed boards to control invasive weeds. Of this amount, \$150,000 of the general fund--state appropriation for fiscal year 2008 and \$150,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to control Japanese knotweed in counties with weed boards.

(7) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for pass through funding to the nonprofit opportunities industrialization center to provide training to agricultural workers related to farm skills, English as a second language, and other skills.

(8) \$65,000 of the general fund--state appropriation for fiscal year 2009 and \$35,000 of the aquatic lands enhancement account appropriation are provided solely for funding to the Pacific county noxious weed control board to continue its planning and implementation of spartina eradication activities.

(9) \$290,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute Senate Bill No. 6483 (local food production). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(10) \$57,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2815 (greenhouse gases emissions). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 310. 2007 c 522 s 310 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY REINSURANCE PROGRAM**

Pollution Liability Insurance Program Trust  
Account--State Appropriation . . . . . ~~(\$799,000)~~  
\$737,000

Sec. 311. 2007 c 522 s 311 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund--State Appropriation (FY 2008) . . . ~~(\$500,000)~~  
\$370,000  
General Fund--State Appropriation (FY 2009) . . . ~~(\$500,000)~~  
\$654,000  
General Fund--Federal Appropriation . . . . . ~~(\$1,155,000)~~  
\$2,655,000  
General Fund--Private/Local Appropriation . . . . . \$2,500,000  
Aquatic Lands Enhancement Account--State Appropriation  
. . . . . \$500,000  
Water Quality Account--State Appropriation (FY 2008)  
. . . . . ~~(\$3,458,000)~~  
\$3,660,000  
Water Quality Account--State Appropriation (FY 2009)  
. . . . . ~~(\$3,459,000)~~  
\$4,098,000  
State Toxics Account--State Appropriation . . . . . \$1,710,000  
TOTAL APPROPRIATION . . . ~~(\$12,072,000)~~  
\$16,147,000

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

(1) ~~(\$1,000,000)~~ \$600,000 of the water quality account--state appropriation for fiscal year 2008, ~~(\$1,000,000)~~ \$1,400,000 of the water quality account--state appropriation for fiscal year 2009, and \$2,500,000 of the general fund--private/local appropriation are provided solely for the education of citizens through attracting and utilizing volunteers to engage in activities that result in environmental benefits.

(2) \$2,208,000 of the water quality account--state appropriation for fiscal year 2008, \$2,209,000 of the water quality account--state appropriation for fiscal year 2009, ~~(\$500,000)~~ \$370,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$500,000)~~ \$630,000 of the general fund--state appropriation for fiscal year 2009, and \$1,155,000 of the general fund--federal appropriation are provided solely to implement Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill is not enacted by June 30, 2007, then \$2,208,000 of the water quality account--state appropriation for fiscal year 2008, \$2,209,000 of the water quality account--state appropriation for fiscal year 2009, \$1,155,000 of the general fund--federal appropriation, \$500,000 of the general fund--state appropriation for fiscal year 2008, and \$500,000 of the general fund--state appropriation for fiscal year 2009 are appropriated to the office of the governor for operation of the Puget Sound action team.

(3) To implement the 2007-09 Puget Sound biennial plan required by Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership), funding is provided solely for Puget Sound recovery activities in the budgets of selected agencies and institutions of higher education, including the department of agriculture, department of community, trade and economic development, conservation commission, department of ecology, department of fish and wildlife, department of health, interagency committee for outdoor recreation, department of natural resources, state parks and recreation commission, the Puget Sound partnership, University of Washington, and Washington State University. During the 2007-09 biennium, moneys are provided solely for these agencies and institutions of higher education as provided for in LEAP document PSAT-2007.

(4) \$305,000 of the water quality account--state appropriation for fiscal year 2009 and \$305,000 of the general fund--federal appropriation are provided solely for an outcome monitoring program first for Puget Sound and Washington's coastline and then across the remaining salmon recovery regions across the state.

(5) \$24,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for Substitute Senate Bill No. 6307 (Puget Sound marine managed areas). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(6) \$852,000 of the water quality account--state appropriation for fiscal year 2008, \$231,000 of the water quality account--state appropriation for fiscal year 2009, and \$900,000 of the state toxics control account appropriation are provided solely for development and implementation of the 2020 action agenda.

(End of part)

**PART IV TRANSPORTATION**

Sec. 401. 2007 c 522 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2008) . . . ~~(\$1,727,000)~~  
\$1,730,000  
General Fund--State Appropriation (FY 2009) . . . ~~(\$2,000,000)~~

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	\$2,055,000
Architects' License Account--State Appropriation . . . . .	(( <del>\$762,000</del> ))
	\$754,000
Cemetery Account--State Appropriation . . . . .	(( <del>\$240,000</del> ))
	\$237,000
Professional Engineers' Account--State Appropriation . . . . .	(( <del>\$3,484,000</del> ))
	\$3,457,000
Real Estate Commission Account--State Appropriation . . . . .	(( <del>\$8,883,000</del> ))
	\$9,163,000
Master License Account--State Appropriation . . . . .	(( <del>\$14,072,000</del> ))
	\$14,311,000
Uniform Commercial Code Account--State Appropriation . . . . .	(( <del>\$3,086,000</del> ))
	\$3,063,000
Real Estate Education Account--State Appropriation . . . . .	\$276,000
Real Estate Appraiser Commission Account--State Appropriation . . . . .	(( <del>\$1,684,000</del> ))
	\$1,667,000
Business and Professions Account--State Appropriation . . . . .	(( <del>\$10,190,000</del> ))
	\$11,680,000
Real Estate Research Account--State Appropriation . . . . .	\$320,000
Funeral Directors And Embalmers Account--State Appropriation . . . . .	(( <del>\$597,000</del> ))
	\$588,000
Geologists' Account--State Appropriation . . . . .	(( <del>\$57,000</del> ))
	\$56,000
Data Processing Revolving Account--State Appropriation . . . . .	\$29,000
Derelict Vessel Removal Account--State Appropriation . . . . .	\$31,000
TOTAL APPROPRIATION . . . . .	(( <del>\$47,438,000</del> ))
	\$49,417,000

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

(1) In accordance with RCW 43.24.086, it is the policy of the state of Washington that the cost of each professional, occupational, or business licensing program be fully borne by the members of that profession, occupation, or business. For each licensing program covered by RCW 43.24.086, the department shall set fees at levels sufficient to fully cover the cost of administering the licensing program, including any costs associated with policy enhancements funded in the 2007-09 fiscal biennium. Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium, the department may increase fees in excess of the fiscal growth factor if the increases are necessary to fully fund the costs of the licensing programs. Pursuant to RCW 43.135.055 and 43.24.086, the department is further authorized to increase the following fees as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Real estate appraiser certification, by not more than \$30 in fiscal year 2009; real estate appraiser certification, original via reciprocity, by not more than \$30 in fiscal year 2009; security guard license, original, by not more than \$30 in fiscal year 2009; security guard license, renewal, by not more than \$30 in 2009; and skills testing fee, a new fee may be established of not more than \$100 for most drivers and \$75 for nonprofit ECEAP or head start program.

(2) \$230,000 of the master license account--state appropriation is provided solely for Engrossed Second Substitute House Bill No. 1461 (manufactured/mobile home dispute resolution). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(3) \$64,000 of the business and professions account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6437 (bail bond agents). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(4) \$210,000 of the business and professions account--state appropriation is provided solely to implement Engrossed

Substitute Senate Bill No. 6606 (home inspectors). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(5) \$87,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department to conduct a review of the need for regulation of general and specialty contractors involved in the repair, alteration, or construction of single-family homes using the public interest criteria set forth in RCW 18.118.010 and as generally described in Second Substitute House Bill No. 3349 (residential contractors). By October 1, 2008, the department and the department of labor and industries shall report their findings to the appropriate committees of the legislature.

(6) The department of licensing and the department of health shall jointly review and report to the appropriate policy committees of the legislature by December 1, 2008, recommendations for implementing a process of holding in abeyance for up to six months following the conclusion of active duty service the expiration of, and currency requirements for, professional licenses and certificates for individuals who have been called to active duty military service.

(7) The higher education coordinating board, the department of licensing, and the department of health shall jointly review and report to the appropriate policy committees of the legislature by December 1, 2008, on barriers and opportunities for increasing the extent to which veterans separating from duty are able to apply skills sets and education required while in service to certification, licensure, and degree requirements.

Sec. 402. 2007 c 522 s 402 (uncodified) is amended to read as follows:

**FOR THE STATE PATROL**

General Fund--State Appropriation (FY 2008) . . . . .	(( <del>\$38,903,000</del> ))
	\$38,968,000
General Fund--State Appropriation (FY 2009) . . . . .	(( <del>\$37,102,000</del> ))
	\$31,262,000
General Fund--Federal Appropriation . . . . .	\$5,629,000
General Fund--Private/Local Appropriation . . . . .	\$1,223,000
Death Investigations Account--State Appropriation . . . . .	(( <del>\$5,510,000</del> ))
	\$5,680,000
Public Safety and Education Account--State Appropriation (FY 2008) . . . . .	\$1,476,000
Public Safety and Education Account--State Appropriation (FY 2009) . . . . .	(( <del>\$1,532,000</del> ))
	\$2,687,000
Enhanced 911 Account--State Appropriation . . . . .	\$572,000
County Criminal Justice Assistance Account--State Appropriation . . . . .	(( <del>\$3,155,000</del> ))
	\$3,133,000
Municipal Criminal Justice Assistance Account--State Appropriation . . . . .	(( <del>\$1,244,000</del> ))
	\$1,222,000
Fire Service Trust Account--State Appropriation . . . . .	\$131,000
Disaster Response Account--State Appropriation . . . . .	\$2,000
Fire Service Training Account--State Appropriation . . . . .	(( <del>\$7,936,000</del> ))
	\$8,010,000
Aquatic Invasive Species Enforcement Account--State Appropriation . . . . .	\$54,000
State Toxics Control Account--State Appropriation . . . . .	(( <del>\$502,000</del> ))
	\$495,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2008) . . . . .	\$3,007,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2009) . . . . .	\$4,429,000
Fingerprint Identification Account--State Appropriation . . . . .	(( <del>\$6,928,000</del> ))
	\$10,057,000
TOTAL APPROPRIATION . . . . .	(( <del>\$119,505,000</del> ))

\$118,037,000

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

(1) \$233,000 of the general fund--state appropriation for fiscal year 2008, \$282,000 of the general fund--state appropriation for fiscal year 2009, and \$357,000 of the fingerprint identification account--state appropriation are provided solely for workload associated with implementation of the federal Adam Walsh Act -- the Children's Safety and Violent Crime Reduction Act of 2006.

(2) In accordance with RCW 10.97.100 and chapter 43.43 RCW, the Washington state patrol is authorized to perform and charge fees for criminal history and background checks for state and local agencies, and nonprofit and other private entities and disseminate the records. It is the policy of the state of Washington that the fees cover, as nearly as practicable, the direct and indirect costs of performing criminal history and background checks activities. Pursuant to RCW 43.135.055, during the 2007-2009 fiscal biennium, the Washington state patrol may increase fees in excess of the fiscal growth factor if the increases are necessary to fully fund the direct and indirect cost of the criminal history and background check activities.

(3) \$200,000 of the fire service training account--state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(4) ~~(\$250,000)~~ \$350,000 of the fire service training account--state appropriation is provided solely to implement the provisions of Senate Bill No. 6119 (firefighter apprenticeship training program). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(5) \$200,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for efforts to reduce the number of convicted offender biological samples awaiting DNA analysis.

(6) Within the appropriations in this section, specific funding is provided to implement Second Substitute Senate Bill No. 5642 (cigarette ignition).

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2007 c 522 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC  
INSTRUCTION**

**(1) STATE AGENCY OPERATIONS**

General Fund--State Appropriation (FY 2008)	<del>(\$21,815,000)</del>
	<u>\$22,161,000</u>
General Fund--State Appropriation (FY 2009)	<del>(\$22,147,000)</del>
	<u>\$25,223,000</u>
General Fund--Federal Appropriation . . . . .	<del>(\$21,551,000)</del>
	<u>\$21,292,000</u>
<b>TOTAL APPROPRIATION .</b>	<del><b>(\$65,513,000)</b></del>
	<u><b>\$68,676,000</b></u>

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

(a) \$11,920,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$12,362,000)~~ \$12,019,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation and expenses of the office of the superintendent of public instruction. Within the amounts provided in this subsection, the superintendent shall recognize

the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award. The students selected for the award must demonstrate understanding through completion of at least one of the classroom-based civics assessment models developed by the superintendent of public instruction, and through leadership in the civic life of their communities. The superintendent shall select two students from eastern Washington and two students from western Washington to receive the award, and shall notify the governor and legislature of the names of the recipients.

(b) \$1,080,000 of the general fund--state appropriation for fiscal year 2008 and \$815,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Within the amounts provided, the board shall implement the provisions of Second Substitute House Bill No. 1906 (improving mathematics and science education) for which it is responsible, including: (i) Develop a comprehensive set of recommendations for an accountability system; (ii) adopt high school graduation requirements aligned with international performance standards in mathematics and science and, in conjunction with the office of the superintendent of public instruction, identify no more than three curricula that are aligned with these standards; and (iii) review all requirements related to the high school diploma as directed by section 405, chapter 263, Laws of 2006.

(c) \$4,779,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$6,033,000)~~ \$6,248,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the professional educator standards board for the following:

(i) \$930,000 in fiscal year 2008 and ~~(\$1,070,000)~~ \$1,284,000 in fiscal year 2009 are for the operation and expenses of the Washington professional educator standards board, including administering the alternative routes to certification program, pipeline for paraeducators conditional scholarship loan program, and the retooling to teach math conditional loan program. Within the amounts provided in this subsection (1)(d)(i), the professional educator standards board shall: (A) Revise the teacher mathematics endorsement competencies and alignment of teacher tests to the updated competencies; (B) review teacher preparation requirements in cultural understanding and make recommendations for strengthening these standards; (C) create a new professional level teacher assessment; (D) expand the alternative routes to teacher certification program for business professionals and instructional assistants who will teach math and science; ~~(and)~~ (E) revise requirements for college and university teacher preparation programs to match a new knowledge- and skill-based performance system; and (F) test implementation of a revised teacher preparation program approach that is classroom experience-intensive and performance-based;

(ii) \$3,269,000 of the general fund--state appropriation for fiscal year 2008 and \$4,289,000 of the general fund--state appropriation for fiscal year 2009 are for conditional scholarship loans and mentor stipends provided through the alternative routes to certification program administered by the professional educator standards board. Of the amounts provided in this subsection (1)(d)(ii):

(A) \$500,000 each year is provided solely for conditional scholarships to candidates seeking an endorsement in special education, math, science, or bilingual education;

(B) \$2,210,000 for fiscal year 2008 and \$3,230,000 for fiscal year 2009 are for the expansion of conditional scholarship loans and mentor stipends for individuals enrolled in alternative route state partnership programs and seeking endorsements in math, science, special education or bilingual education as follows: (I) For route one interns (those currently holding associates of arts degrees), in fiscal year 2008, 120 interns seeking endorsements in the specified subject areas and for fiscal year 2009, an additional 120 interns in the specified

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subject areas; and (II) for all other routes, funding is provided each year for 140 interns seeking endorsements in the specified subject areas;

(C) Remaining amounts in this subsection (1)(d)(ii) shall be used to continue existing alternative routes to certification programs; and

(D) Candidates seeking math and science endorsements under (A) and (B) of this subsection shall receive priority for funding;

(iii) \$236,000 of the general fund--state appropriation for fiscal year 2008 and \$231,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the recruiting Washington teachers program established in Second Substitute Senate Bill No. 5955 (educator preparation, professional development, and compensation)(-);

(iv) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$200,000 of the general fund--state appropriation for fiscal year 2009 provided in this subsection (1)(d) are for \$4,000 conditional loan stipends for paraeducators participating in the pipeline for paraeducators established in Second Substitute House Bill No. 1906 (improving mathematics and science education); and

(v) \$244,000 of the general fund--state appropriation for fiscal year 2008 and \$244,000 of the general fund--state appropriation for fiscal year 2009 are for conditional stipends for certificated teachers pursuing a mathematics or science endorsement under the retooling to teach mathematics or science program established in Second Substitute House Bill No. 1906 (improving mathematics and science education). The conditional stipends shall be for endorsement exam fees as well as stipends for teachers who must also complete coursework.

(d) \$555,000 of the general fund--state appropriation for fiscal year 2008 ~~((ts))~~ and \$867,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for increased attorney general fees related to education litigation.

(e) \$67,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the professional educator standards board (PESB) to convene a work group to develop recommendations for increasing teacher knowledge, skills, and competencies to address the needs of English language learner students, pursuant to Second Substitute Senate Bill No. 6673 (student learning opportunities). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

~~((f))~~ ~~((300,000))~~ \$425,000 of the general fund--state appropriation for fiscal year 2008 and ~~((300,000))~~ \$1,975,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for replacement of the apportionment system, which includes the processes that collect school district budget and expenditure information, staffing characteristics, and the student enrollments that drive the funding process.

~~((g))~~ (g) \$78,000 of the general fund--state appropriation for fiscal year 2008 and \$78,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to provide direct services and support to schools around an integrated, interdisciplinary approach to instruction in conservation, natural resources, sustainability, and human adaptation to the environment. Specific integration efforts will focus on science, math, and the social sciences. Integration between basic education and career and technical education, particularly agricultural and natural sciences education, is to be a major element.

~~((h))~~ (h) \$1,336,000 of the general fund--state appropriation for fiscal year 2008 and \$1,227,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the creation of a statewide data base of longitudinal student information. This amount is conditioned on the department satisfying the requirements in section 902 of this act.

~~((i))~~ (i) \$325,000 of the general fund--state appropriation for fiscal year 2008 and \$325,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for

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comprehensive cultural competence and anti-bias education programs for educators and students. The office of superintendent of public instruction shall administer grants to school districts with the assistance and input of groups such as the anti-defamation league and the Jewish federation of Seattle.

~~((j))~~ (j) \$50,000 of the general fund--state appropriation for fiscal year 2008 and \$50,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

~~((k))~~ (k) \$204,000 of the general fund--state appropriation for fiscal year 2008 and \$66,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5843 (regarding educational data and data systems). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((l))~~ (l) \$114,000 of the general fund--state appropriation for fiscal year 2008 and \$114,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Substitute House Bill No. 1052 (legislative youth advisory council). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((m))~~ (m) \$162,000 of the general fund--state appropriation for fiscal year 2008 and \$31,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1422 (children and families of incarcerated parents). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((n))~~ (n) \$28,000 of the general fund--state appropriation for fiscal year 2008 and \$27,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Second Substitute Senate Bill No. 5098 (Washington college bound scholarship). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((o))~~ (o) \$46,000 of the general fund--state appropriation for fiscal year 2008 and \$3,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5297 (regarding providing medically and scientifically accurate sexual health education in schools). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

~~((p))~~ (p) \$45,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the office of superintendent of public instruction to convene a workgroup to develop school food allergy guidelines and policies for school district implementation. The workgroup shall complete the development of the food allergy guidelines and policies by March 31, 2008, in order to allow for school district implementation in the 2008-2009 school year. The guidelines developed shall incorporate state and federal laws that impact management of food allergies in school settings.

~~((q))~~ (q) \$42,000 of the general fund--state appropriation for fiscal year 2008 and \$42,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support a program to recognize the work of outstanding classified staff in school districts throughout the state.

~~((r))~~ (r) \$96,000 of the general fund--state appropriation for fiscal year 2008 and \$98,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support a full-time director of skills centers within the office of the superintendent of public instruction.

~~((s))~~ (s) \$555,000 of the general fund--state appropriation for fiscal year 2008 and \$475,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the office of the superintendent of public instruction to contract with the northwest educational research laboratory (NWREL) to conduct two educational studies. Specifically, NWREL shall:

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(i) Conduct a study regarding teacher preparation, training, and coordinated instructional support strategies for English language learners, as outlined in Engrossed Second Substitute Senate Bill No. 5841 (enhancing student learning opportunities and achievement). An interim report is due November 1, 2008, and the final report is due December 1, 2009. Both reports shall be delivered to the governor, the office of the superintendent of public instruction, and the appropriate early learning, education, and fiscal committees of the legislature; and

(ii) Conduct a study of the effectiveness of the K-3 demonstration projects as outlined in Engrossed Second Substitute Senate Bill No. 5841 (enhancing student learning opportunities and achievement). An interim report is due November 1, 2008, and the final report is due December 1, 2009. Both reports shall be delivered to the governor, the office of the superintendent of public instruction, and the appropriate early learning, education, and fiscal committees of the legislature.

~~(t)~~ (t) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the office of the superintendent of public instruction to contract with Washington State University social and economic sciences research center (WSU-SESRC) to conduct to educational research studies. The WSU-SESRC shall:

(i) Conduct a study which reviews chapter 207, Laws of 2002 (bullying in schools), evaluate the outcomes resulting from the legislation, and to make recommendations for continued improvement. The study shall, at a minimum, determine: (A) Whether the policies have been developed and implemented in all elementary, middle, and high schools; (B) whether there has been any measurable improvement in the safety and civility of schools' climate and environment as a result of the legislation; (C) whether there are still issues that need to be addressed in light of the original intent of the legislation; and (D) recommended actions to be taken at the school, district, and state level to address the identified issues. Additionally, WSU-SESRC shall research and identify effective programs and the components of effective programs. A report shall be submitted to the education committees of the legislature and the office of the superintendent of public instruction by September 1, 2008.

(ii) Conduct an evaluation of the mathematics and science instructional coach program as described in Second Substitute House Bill No. 1906 (improving mathematics and science education). Findings shall include an evaluation of the coach development institute, coaching support seminars, and other coach support activities; recommendations with regard to the characteristics required of the coaches; identification of changes in teacher instruction related to coaching activities; and identification of the satisfaction level with coaching activities as experienced by classroom teachers and administrators. An interim report is due November 1, 2008. The final report is due December 1, 2009. Both the interim and final report shall be presented to the governor, the office of the superintendent of public instruction, and the education and fiscal committees of the legislature.

(u) \$150,000 of the general fund--state appropriation for fiscal year 2008 and \$150,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for additional costs incurred by the state board of education in reviewing proposed math standards and curriculum.

(v) During the 2007-09 biennium, to the maximum extent possible, in adopting new agency rules or making any changes to existing rules or policies related to the fiscal provisions in the administration of part V of this act, the office of the superintendent of public instruction shall attempt to request approval through the normal legislative budget process.

(w) \$142,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the conducting of a comprehensive analysis of math and science teacher supply and demand issues by the professional educator standards board. By

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December 1, 2008, the professional educator standards board shall submit a final report to the governor and appropriate policy and fiscal committees of the legislature, that includes, but is not limited to: (i) Specific information on the current number of math and science teachers assigned to teach mathematics and science both with and without appropriate certification in those subjects by region and statewide; (ii) projected demand information by detailing the number of K-12 mathematics and science teachers needed by the 2010-11 school year by region and statewide; (iii) specific recommendations on how the demand will be met through recruitment programs, alternative route certification programs, potential financial incentives, retention strategies, and other efforts; and (iv) identification of strategies, based on best practices, to improve the rigor and productivity of state-funded mathematics and science teacher preparation programs. As part of the final report, the professional educator standards board and the Washington state institute for public policy shall provide information from a study of differential pay for teachers in high-demand subject areas such as mathematics and science, including the design, successes, and limitations of differential pay programs in other states. In order for the professional educator standards board to quantify demand, each school district shall provide to the board, by a date and in a format specified by the board, the number of teachers assigned to teach mathematics and science, both with and without appropriate certification and endorsement in those subjects, and the number of mathematics and science teaching vacancies needing to be filled, and the board shall include this data, by district, in its analysis.

(x) \$45,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Substitute Senate Bill No. 6556 (anaphylactic policy). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(y) \$44,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Substitute Senate Bill No. 6742 (guidelines for students with autism) and Substitute Senate Bill No. 6743 (training for students with autism). If neither bill is enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(z) Within the appropriations in this section, specific funding is provided for the implementation of Second Engrossed Substitute Senate Bill No. 5100 (health insurance information for students).

(aa) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2722 (achievement gap for African-American students). The center for the improvement of student learning will convene an advisory committee to conduct a detailed analysis of the achievement gap for African-American students; recommend a comprehensive plan for closing the gap pursuant to goals under the federal no child left behind act for all groups of students to meet academic standards by 2014; and identify performance measures to monitor adequate yearly progress. A study update shall be submitted by September 15, 2008, and the committee's final report shall be submitted by December 30, 2008, to the superintendent of public instruction, the state board of education, the governor, the P-20 council, the basic education finance task force, and the education committees of the legislature. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(bb) Within the appropriations in this section specific funding is provided to implement Second Substitute House Bill No. 2598 (online mathematics curriculum).

(cc) Within the appropriations in this section specific funding is provided to implement Second Substitute House Bill No. 2635 (school district boundaries and organization).

(dd) Within the appropriations in this section specific funding is provided to implement Second Substitute House Bill No. 3129 (online learning programs for high school students to earn college credit).

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(ce) \$136,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the office of superintendent of public instruction to assign at least one full-time equivalent staff position to serve as the world language supervisor.

(2) STATEWIDE PROGRAMS

General Fund--State Appropriation (FY 2008)	<del>(((\$14,783,000))</del>
	\$14,283,000
General Fund--State Appropriation (FY 2009)	<del>(((\$16,459,000))</del>
	\$16,128,000
General Fund--Federal Appropriation . . . . .	\$55,890,000
TOTAL APPROPRIATION . . . . .	<del>(((\$87,132,000))</del>
	\$86,301,000

The appropriations in this subsection are provided solely for the statewide programs specified in this subsection and are subject to the following conditions and limitations:

(a) HEALTH AND SAFETY

(i) \$2,541,000 of the general fund--state appropriation for fiscal year 2008 and \$2,541,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(ii) \$96,000 of the general fund--state appropriation for fiscal year 2008 and \$96,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the school safety center in the office of the superintendent of public instruction subject to the following conditions and limitations:

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

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

(iii) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a school safety training program provided by the criminal justice training commission. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel, including school safety personnel hired after the effective date of this section.

(iv) \$40,000 of the general fund--state appropriation for fiscal year 2008 and \$40,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the safety center advisory committee to develop and distribute a pamphlet to promote internet safety for children, particularly in grades seven through twelve. The pamphlet shall be posted on the superintendent of public instruction's web site. To the extent possible, the pamphlet shall be distributed in schools throughout the state and in other areas accessible to youth, including but not limited to libraries and community centers.

(v) \$10,344,000 of the general fund--federal appropriation is provided for safe and drug free schools and communities grants for drug and violence prevention activities and strategies.

(vi) \$271,000 of the general fund--state appropriation for fiscal year 2008 and ~~(((\$271,000))~~ \$396,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a nonviolence and leadership training program provided by the institute for community leadership. The program shall provide ~~((a request for proposal process, with up to 80 percent funding, for))~~ nonviolence leadership workshops including

in-school, weekend, and school break programming serving at least 12 school districts with direct programming in 36 elementary, middle, and high schools throughout Washington state.

(vii) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a pilot youth suicide prevention and information program. The office of superintendent of public instruction will work with selected school districts and community agencies in identifying effective strategies for preventing youth suicide.

(viii) \$800,000 of the general fund--state appropriation for fiscal year 2008 and \$800,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for programs to improve safety and emergency preparedness and planning in public schools, as generally described in Substitute Senate Bill No. 5097. The superintendent of public instruction shall design and implement the grant program in consultation with the educational service districts, the school safety advisory committee, and the Washington association of sheriffs and police chiefs. The funding shall support grants to school districts for the development and updating of comprehensive safe school plans, school safety training, and the conducting of safety-related drills. As a condition of receiving these funds, school districts must ensure that schools (A) conduct at least one lockdown and one shelter in place safety drill each school year, and (B) send updated school mapping database information on an annual basis to the Washington association of sheriffs and police chiefs.

(ix) \$40,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state school directors' association to mediate and facilitate a school disciplinary action task force to review and make recommendations on a model policy regarding the use of physical force in schools. The model policy shall be submitted to the appropriate policy committees of the legislature by November 1, 2008.

(x) \$180,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2712 (concerning criminal street gangs). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(b) TECHNOLOGY

(i) \$1,939,000 of the general fund--state appropriation for fiscal year 2008 and \$1,939,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(ii) The office of the superintendent of public instruction shall coordinate, in collaboration with educational service districts, a system of outreach to school districts not currently maximizing their eligibility for federal e-rate funding through the schools and libraries program administered by the federal communications commission. By December 15, 2008, the office of the superintendent of public instruction shall issue a report to the fiscal committees of the legislature identifying school districts that were eligible but did not apply for e-rate funding for the last two years, and an estimate of the amounts for which they were eligible in those years. The report shall also include recommendations for following-up on the findings relative to the e-rate program contained in the state auditor's performance audit of educational service districts completed September, 2007.

(c) GRANTS AND ALLOCATIONS

(i) \$652,000 of the general fund--state appropriation for fiscal year 2008 and \$1,329,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to expand

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the special services pilot project to include up to seven participating districts. The office of the superintendent of public instruction shall allocate these funds to the district or districts participating in the pilot program according to the provisions of RCW (~~(28A.630.015)~~) 28A.630.016. Of the amounts provided, \$11,000 of the general fund--state appropriation for fiscal year 2008 and \$11,000 of the general fund--state appropriation for fiscal year 2009 are provided for the office of the superintendent of public instruction to conduct a study of the expanded special services pilot.

(ii) \$31,000 of the general fund--state appropriation for fiscal year 2008 and \$31,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operation of the Cispus environmental learning center.

(iii) \$97,000 of the general fund--state appropriation for fiscal year 2008 and \$97,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support vocational student leadership organizations.

(iv) \$146,000 of the general fund--state appropriation for fiscal year 2008 and \$146,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington civil liberties education program.

(v) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 and \$1,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington state achievers scholarship program. The funds shall be used to support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars.

(vi) \$294,000 of the general fund--state appropriation for fiscal year 2008 and \$294,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Lorraine Wojahn dyslexia pilot reading program in up to five school districts.

(vii) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for developing and disseminating curriculum and other materials documenting women's role in World War II.

(viii) \$175,000 of the general fund--state appropriation for fiscal year 2008 and \$175,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for incentive grants for districts and pilot projects to develop preapprenticeship programs. Incentive grant awards up to \$10,000 each shall be used to support the program's design, school/business/labor agreement negotiations, and recruiting high school students for preapprenticeship programs in the building trades and crafts.

(ix) \$3,220,000 of the general fund--state appropriation for fiscal year 2008 and \$3,220,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the dissemination of the Navigation 101 curriculum to all districts, including disseminating electronic student planning tools and software for analyzing the impact of the implementation of Navigation 101 on student performance, and grants to at least one hundred school districts each year for the implementation of the Navigation 101 program. The implementation grants will be limited to a maximum of two years and the school districts selected shall represent various regions of the state and reflect differences in school district size and enrollment characteristics.

(x) \$36,000 of the general fund--state appropriation for fiscal year 2008 and \$36,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the enhancement of civics education. Of this amount, \$25,000 each year is provided solely for competitive grants to school districts for curriculum alignment, development of innovative civics projects, and other activities that support the civics assessment established in chapter 113, Laws of 2006.

(xi) \$2,500,000 of the general fund--state appropriation for fiscal year 2008 and \$2,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the

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implementation of Second Substitute House Bill No. 1573 (authorizing a statewide program for comprehensive dropout prevention, intervention, and retrieval). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(xii) \$25,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the communities in school program in Pierce county.

~~(xiii) (\$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the office of superintendent of public instruction to contract with a company to develop and implement a pilot program for providing indigenous learning curriculum and standards specific online learning programs based on the recommended standards in chapter 205, Laws of 2005 (Washington's tribal history). The specific content areas covered by the pilot program will include social studies and science. The contractor selected will have experience in developing and implementing indigenous learning curricula and if possible will be affiliated with a recognized Washington state tribe. The pilot program will be implemented in a minimum of three school districts in collaboration with Washington tribes and school districts. To the extent possible and appropriate, the pilot program will involve organizations including, the University of Washington's mathematics science and engineering achievement, the digital learning commons, the virtual possibilities network, the museum of arts and culture in Spokane, Eastern Washington University, and Washington State University.~~

~~(xiv))~~ (xiv)) \$70,000 of the general fund--state appropriation for fiscal year 2008 and \$70,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support and expand the mentoring advanced placement program in current operation in southwest Washington.

~~((xv) \$1,000,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement House Bill No. 1051 (expanding high school completion programs). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.~~

~~(xvi))~~ (xiv) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for program initiatives to address the educational needs of Latino students and families. Using the full amounts of the appropriations under this subsection, the office of the superintendent of public instruction shall contract with the Seattle community coalition of compaña quetzal to provide for three initiatives: (A) Early childhood education; (B) parent leadership training; and (C) high school success and college preparation programs. Campana quetzal shall report to the office of the superintendent of public instruction by June 30, 2009, regarding impact of the programs on addressing the academic achievement gap, including high school drop-out rates and college readiness rates, for Latino students.

(xv) \$264,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a pilot program in two school districts to provide sequentially articulated Spanish and Chinese language instruction in elementary schools.

(xvi) \$300,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for reimbursement to school districts for costs associated with offering the preliminary scholastic aptitude test (PSAT) to tenth grade students outlined in Second Substitute Senate Bill No. 6673 (student learning opportunities). The office of the superintendent of public instruction shall provide payment for these tests consistent with established procedures with the appropriate testing companies. Within the amount provided in this subsection, the office of the superintendent of public instruction shall pay for as many tests as the available funding allows, ensure equitable funding across districts, and first provide payments for tenth grade students



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eligible for free or reduced price lunch that take the preliminary scholastic aptitude test. To the extent funding remains after providing for this reimbursement for students eligible for free or reduced price lunch, the office of the superintendent of public instruction may make payments for other students.

(xvii) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 2870 (professional development for instructional assistants). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(xviii) \$10,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the superintendent of public instruction to convene a work group that includes representatives from dual credit programs including representatives from high schools, the tech prep program, the state board for community and technical colleges, the public four-year institutions of higher education, the workforce training and education coordinating board, the higher education coordinating board, and the council of presidents to develop a strategic plan for statewide coordination of dual credit programs including but not limited to running start, college in the high school, tech prep, advanced placement, and international baccalaureate. The plan shall clearly articulate the purpose and definition of each program, the goals associated with each program, the personnel required both to administer and teach each program, the benefits to students, and the barriers to access. The work group must provide the plan to the appropriate committees of the legislature by December 1, 2008.

(xix) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for a pilot project to encourage bilingual high school students to pursue public school teaching as a profession. Using the full amounts of the appropriation under this subsection, the office of the superintendent of public instruction shall contract with the Latino/a educational achievement project (LEAP) to work with school districts to identify and mentor not fewer than fifty bilingual students in their junior year of high school, encouraging them to become bilingual instructors in schools with high English language learner populations. Students shall be mentored by bilingual teachers and complete a curriculum developed and approved by the participating districts.

**Sec. 502.** 2007 c 522 s 502 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT**

General Fund--State Appropriation (FY 2008)	(( <del>\$4,448,333,000</del> ))
	\$4,436,719,000
General Fund--State Appropriation (FY 2009)	(( <del>\$4,474,199,000</del> ))
	\$4,477,998,000
Education Legacy Trust Account--State Appropriation	(( <del>\$9,387,000</del> ))
	\$9,373,000
Pension Funding Stabilization Account Appropriation	\$341,624,000
	TOTAL APPROPRIATION (( <del>\$9,273,543,000</del> ))
	\$9,265,714,000

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

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

(2) Allocations for certificated staff salaries for the 2007-08 and 2008-09 school years shall be determined using formula-generated staff units calculated pursuant to this subsection. Staff allocations for small school enrollments in (e) through (g) of this subsection shall be reduced for vocational full-time equivalent enrollments. Staff allocations for small school

enrollments in grades K-6 shall be the greater of that generated under (a) of this subsection, or under (d) and (e) of this subsection. Certificated staffing allocations shall be as follows:

(a) On the basis of each 1,000 average annual full-time equivalent enrollments, excluding full-time equivalent enrollment otherwise recognized for certificated staff unit allocations under (d) through (g) of this subsection:

(i) Four certificated administrative staff units per thousand full-time equivalent students in grades K-12;

(ii) Forty-nine certificated instructional staff units per thousand full-time equivalent students in grades K-3;

(iii) Forty-six certificated instructional staff units per thousand full-time equivalent students in grades 4-12; and

(iv) An additional 4.2 certificated instructional staff units for grades K-3 and an additional 7.2 certificated instructional staff units for grade 4. Any funds allocated for the additional certificated units provided in this subsection (iv) shall not be considered as basic education funding;

(A) Funds provided under this subsection (2)(a)(iv) in excess of the amount required to maintain the statutory minimum ratio established under RCW 28A.150.260(2)(b) shall be allocated only if the district documents an actual ratio in grades K-4 equal to or greater than 53.2 certificated instructional staff per thousand full-time equivalent students. For any school district documenting a lower certificated instructional staff ratio, the allocation shall be based on the district's actual grades K-4 certificated instructional staff ratio achieved in that school year, or the statutory minimum ratio established under RCW 28A.150.260(2)(b), if greater;

(B) Districts at or above 51.0 certificated instructional staff per one thousand full-time equivalent students in grades K-4 may dedicate up to 1.3 of the 53.2 funding ratio to employ additional classified instructional assistants assigned to basic education classrooms in grades K-4. For purposes of documenting a district's staff ratio under this section, funds used by the district to employ additional classified instructional assistants shall be converted to a certificated staff equivalent and added to the district's actual certificated instructional staff ratio. Additional classified instructional assistants, for the purposes of this subsection, shall be determined using the 1989-90 school year as the base year;

(C) Any district maintaining a ratio in grades K-4 equal to or greater than 53.2 certificated instructional staff per thousand full-time equivalent students may use allocations generated under this subsection (2)(a)(iv) in excess of that required to maintain the minimum ratio established under RCW 28A.150.260(2)(b) to employ additional basic education certificated instructional staff or classified instructional assistants in grades 5-6. Funds allocated under this subsection (2)(a)(iv) shall only be expended to reduce class size in grades K-6. No more than 1.3 of the certificated instructional funding ratio amount may be expended for provision of classified instructional assistants;

(b) For school districts with a minimum enrollment of 250 full-time equivalent students whose full-time equivalent student enrollment count in a given month exceeds the first of the month full-time equivalent enrollment count by 5 percent, an additional state allocation of 110 percent of the share that such increased enrollment would have generated had such additional full-time equivalent students been included in the normal enrollment count for that particular month;

(c)(i) On the basis of full-time equivalent enrollment in:

(A) Vocational education programs approved by the superintendent of public instruction, a maximum of 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each 19.5 full-time equivalent vocational students; and

(B) Skills center programs meeting the standards for skills center funding established in January 1999 by the superintendent of public instruction with a waiver allowed for skills centers in current operation that are not meeting this

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standard until the 2008-09 school year, 0.92 certificated instructional staff units and 0.08 certificated administrative units for each 16.67 full-time equivalent vocational students;

(ii) Vocational full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported vocational enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support; and

(iii) Indirect cost charges by a school district to vocational-secondary programs shall not exceed 15 percent of the combined basic education and vocational enhancement allocations of state funds;

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

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

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

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

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

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

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

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

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

Units calculated under (g)(ii) of this subsection shall be reduced by certificated staff units at the rate of forty-six certificated instructional staff units and four certificated administrative staff units per thousand vocational full-time equivalent students;

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

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

(3) Allocations for classified salaries for the 2007-08 and 2008-09 school years shall be calculated using formula-generated classified staff units determined as follows:

(a) For enrollments generating certificated staff unit allocations under subsection (2)(e) through (i) of this section, one classified staff unit for each (~~(2.95)~~) 2.94 certificated staff units allocated under such subsections;

(b) For all other enrollment in grades K-12, including vocational full-time equivalent enrollments, one classified staff unit for each (~~(fifty-nine)~~) 58.75 average annual full-time equivalent students; and

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

(4) Fringe benefit allocations shall be calculated at a rate of (~~(14.13)~~) 14.11 percent in the 2007-08 school year and (~~(16.69)~~) 16.75 percent in the 2008-09 school year for certificated salary allocations provided under subsection (2) of this section, and a rate of (~~(17.06)~~) 17.04 percent in the 2007-08 school year and (~~(18.74)~~) 18.72 percent in the 2008-09 school year for classified salary allocations provided under subsection (3) of this section.

(5) Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504(2) of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsection (2) of this section; and

(b) The number of classified staff units determined in subsection (3) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purposes of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(6)(a) For nonemployee-related costs associated with each certificated staff unit allocated under subsection (2)(a), (b), and (d) through (h) of this section, there shall be provided a maximum of \$9,703 per certificated staff unit in the 2007-08 school year and a maximum of (~~(\$9,907)~~) \$10,178 per certificated staff unit in the 2008-09 school year.

(b) For nonemployee-related costs associated with each vocational certificated staff unit allocated under subsection (2)(c)(i)(A) of this section, there shall be provided a maximum of \$23,831 per certificated staff unit in the 2007-08 school year and a maximum of (~~(\$24,331)~~) \$24,999 per certificated staff unit in the 2008-09 school year.

(c) For nonemployee-related costs associated with each vocational certificated staff unit allocated under subsection (2)(c)(i)(B) of this section, there shall be provided a maximum of \$18,489 per certificated staff unit in the 2007-08 school year and a maximum of (~~(\$18,877)~~) \$19,395 per certificated staff unit in the 2008-09 school year.

(7) Allocations for substitute costs for classroom teachers shall be distributed at a maintenance rate of \$555.20 for the 2007-08 and 2008-09 school years per allocated classroom teachers exclusive of salary increase amounts provided in section 504 of this act. Solely for the purposes of this subsection, allocated classroom teachers shall be equal to the number of certificated instructional staff units allocated under subsection (2) of this section, multiplied by the ratio between the number of actual basic education certificated teachers and the number of actual basic education certificated instructional staff reported statewide for the prior school year.

(8) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any

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portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(9) \$1,870,000 of the general fund--state appropriation for fiscal year 2008 and \$2,421,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to implement Engrossed Second Substitute House Bill No. 1432 (granting service credit to educational staff associates for nonschool employment). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(10) The superintendent may distribute a maximum of ~~(\$16,622,000)~~ \$16,620,000 outside the basic education formula during fiscal years 2008 and 2009 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$547,000 may be expended in fiscal year 2008 and a maximum of ~~(\$558,000)~~ \$567,000 may be expended in fiscal year 2009;

(b) For summer vocational programs at skills centers, a maximum of \$2,385,000 may be expended for the 2008 fiscal year and a maximum of \$2,385,000 for the 2009 fiscal year. 20 percent of each fiscal year amount may carry over from one year to the next;

(c) A maximum of ~~(\$390,000)~~ \$393,000 may be expended for school district emergencies;

(d) A maximum of \$485,000 each fiscal year may be expended for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs; and

(e) ~~(\$9,387,000)~~ \$9,373,000 of the education legacy trust account appropriation is provided solely for allocations for equipment replacement in vocational programs and skills centers. Each year of the biennium, the funding shall be allocated based on \$75 per full-time equivalent vocational student and \$125 per full-time equivalent skills center student.

(f) \$2,991,000 of the general fund--state appropriation for fiscal year 2008 and \$4,403,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the implementation of Second Substitute Senate Bill No. 5790 (regarding skills centers). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(11) For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 5.7 percent from the 2006-07 school year to the 2007-08 school year and ~~(5.1)~~ 6.0 percent from the 2007-08 school year to the 2008-09 school year.

(12) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (2)(b) through (h) of this section, the following shall apply:

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

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (2)(a) through (h) of this section shall be reduced in increments of twenty percent per year.

(13) The appropriation levels in part V of this act assume implementation of the reimbursement provisions of Senate Bill No. 6450 (school district reimbursement of performance audits).

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**Sec. 503.** 2007 c 522 s 503 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION.** (1) The following calculations determine the salaries used in the general fund allocations for certificated instructional, certificated administrative, and classified staff units under section 502 of this act:

(a) Salary allocations for certificated instructional staff units shall be determined for each district by multiplying the district's certificated instructional total base salary shown on LEAP Document 2 by the district's average staff mix factor for certificated instructional staff in that school year, computed using LEAP Document 1; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district shall be based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on ~~(March 24, 2007, at 07:29)~~ March 9, 2008, at 15:09 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional staff as developed by the legislative evaluation and accountability program committee on ~~(April 19, 2007, at 06:03)~~ March 9, 2008, at 15:09 hours.

(3) Incremental fringe benefit factors shall be applied to salary adjustments at a rate of ~~(14.13)~~ 14.11 percent for school year 2007-08 and ~~(16.69)~~ 16.75 percent for school year 2008-09 for certificated staff and for classified staff ~~(17.06)~~ 17.04 percent for school year 2007-08 and ~~(18.74)~~ 18.72 percent for the 2008-09 school year.

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

## K-12 Salary Allocation Schedule For Certificated Instructional Staff

2007-08 School Year

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	32,746	33,630	34,547	35,465	38,412	40,310	39,260	42,207	44,107
1	33,187	34,083	35,011	35,970	38,948	40,836	39,696	42,674	44,560
2	33,607	34,512	35,450	36,483	39,452	41,359	40,135	43,104	45,012
3	34,039	34,953	35,901	36,967	39,930	41,884	40,552	43,513	45,468
4	34,464	35,418	36,372	37,474	40,455	42,423	40,988	43,969	45,938
5	34,902	35,861	36,824	37,988	40,958	42,965	41,432	44,403	46,410
6	35,353	36,291	37,287	38,508	41,464	43,482	41,887	44,843	46,860
7	36,145	37,097	38,106	39,394	42,393	44,467	42,739	45,737	47,812
8	37,304	38,308	39,340	40,735	43,775	45,925	44,079	47,120	49,269
9		39,562	40,646	42,091	45,202	47,425	45,434	48,547	50,770
10			41,967	43,516	46,669	48,966	46,861	50,014	52,310
11				44,984	48,204	50,547	48,328	51,550	53,891
12				46,404	49,781	52,194	49,853	53,126	55,540
13					51,397	53,882	51,431	54,741	57,226
14					53,020	55,632	53,056	56,471	58,977
15					54,400	57,080	54,435	57,939	60,511
16 or more					55,487	58,220	55,523	59,097	61,720

## K-12 Salary Allocation Schedule For Certificated Instructional Staff

2008-09 School Year

(Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	33,898	34,814	35,762	36,713	39,763	41,728	40,641	43,691	45,658
1	34,354	35,282	36,243	37,236	40,318	42,272	41,093	44,175	46,128
2	34,789	35,726	36,697	37,766	40,840	42,814	41,547	44,621	46,596
3	35,237	36,183	37,164	38,267	41,335	43,357	41,979	45,044	47,067
4	35,676	36,664	37,651	38,793	41,878	43,915	42,430	45,516	47,554
5	36,130	37,123	38,120	39,324	42,399	44,476	42,890	45,965	48,043
6	36,597	37,567	38,598	39,863	42,923	45,011	43,361	46,421	48,508
7	37,416	38,402	39,446	40,780	43,885	46,031	44,243	47,346	49,494
8	38,616	39,655	40,724	42,168	45,315	47,541	45,630	48,778	51,002
9		40,954	42,076	43,572	46,792	49,093	47,032	50,255	52,556
10			43,443	45,047	48,310	50,688	48,509	51,773	54,150
11				46,566	49,900	52,326	50,028	53,363	55,787
12				48,036	51,533	54,030	51,606	54,995	57,493

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	<u>13</u>	<u>53,205</u>	<u>55,777</u>	<u>53,240</u>	<u>56,667</u>	<u>59,239</u>			
	<u>14</u>	<u>54,885</u>	<u>57,589</u>	<u>54,922</u>	<u>58,457</u>	<u>61,052</u>			
	<u>15</u>	<u>56,313</u>	<u>59,088</u>	<u>56,350</u>	<u>59,977</u>	<u>62,639</u>			
	<u>16 or more</u>	<u>57,439</u>	<u>60,269</u>	<u>57,476</u>	<u>61,176</u>	<u>63,892</u>			
<u>Years of Service</u>	<u>BA</u>	<u>BA+15</u>	<u>BA+30</u>	<u>BA+45</u>	<u>BA+90</u>	<u>BA+135</u>	<u>MA</u>	<u>MA+45</u>	<u>MA+90 or PHD</u>
<u>0</u>	<u>34,426</u>	<u>35,356</u>	<u>36,319</u>	<u>37,285</u>	<u>40,383</u>	<u>42,378</u>	<u>41,274</u>	<u>44,372</u>	<u>46,369</u>
<u>1</u>	<u>34,889</u>	<u>35,832</u>	<u>36,808</u>	<u>37,816</u>	<u>40,946</u>	<u>42,931</u>	<u>41,733</u>	<u>44,863</u>	<u>46,847</u>
<u>2</u>	<u>35,331</u>	<u>36,283</u>	<u>37,269</u>	<u>38,354</u>	<u>41,476</u>	<u>43,481</u>	<u>42,195</u>	<u>45,316</u>	<u>47,321</u>
<u>3</u>	<u>35,786</u>	<u>36,747</u>	<u>37,743</u>	<u>38,864</u>	<u>41,979</u>	<u>44,033</u>	<u>42,632</u>	<u>45,746</u>	<u>47,801</u>
<u>4</u>	<u>36,232</u>	<u>37,235</u>	<u>38,238</u>	<u>39,397</u>	<u>42,531</u>	<u>44,599</u>	<u>43,091</u>	<u>46,225</u>	<u>48,295</u>
<u>5</u>	<u>36,693</u>	<u>37,701</u>	<u>38,713</u>	<u>39,937</u>	<u>43,059</u>	<u>45,169</u>	<u>43,558</u>	<u>46,681</u>	<u>48,791</u>
<u>6</u>	<u>37,167</u>	<u>38,153</u>	<u>39,200</u>	<u>40,484</u>	<u>43,591</u>	<u>45,713</u>	<u>44,036</u>	<u>47,144</u>	<u>49,264</u>
<u>7</u>	<u>37,999</u>	<u>39,000</u>	<u>40,061</u>	<u>41,415</u>	<u>44,568</u>	<u>46,748</u>	<u>44,932</u>	<u>48,084</u>	<u>50,265</u>
<u>8</u>	<u>39,218</u>	<u>40,273</u>	<u>41,359</u>	<u>42,825</u>	<u>46,021</u>	<u>48,281</u>	<u>46,341</u>	<u>49,538</u>	<u>51,797</u>
<u>9</u>		<u>41,591</u>	<u>42,731</u>	<u>44,250</u>	<u>47,521</u>	<u>49,858</u>	<u>47,765</u>	<u>51,038</u>	<u>53,374</u>
<u>10</u>			<u>44,120</u>	<u>45,749</u>	<u>49,063</u>	<u>51,478</u>	<u>49,265</u>	<u>52,580</u>	<u>54,993</u>
<u>11</u>				<u>47,291</u>	<u>50,677</u>	<u>53,141</u>	<u>50,807</u>	<u>54,194</u>	<u>56,656</u>
<u>12</u>				<u>48,784</u>	<u>52,335</u>	<u>54,872</u>	<u>52,410</u>	<u>55,851</u>	<u>58,389</u>
<u>13</u>					<u>54,034</u>	<u>56,646</u>	<u>54,069</u>	<u>57,550</u>	<u>60,162</u>
<u>14</u>					<u>55,740</u>	<u>58,486</u>	<u>55,778</u>	<u>59,368</u>	<u>62,003</u>
<u>15</u>					<u>57,191</u>	<u>60,008</u>	<u>57,227</u>	<u>60,911</u>	<u>63,615</u>
<u>16 or more</u>					<u>58,334</u>	<u>61,207</u>	<u>58,372</u>	<u>62,129</u>	<u>64,887</u>

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

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

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

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

(5) For the purposes of this section:

(a) "BA" means a baccalaureate degree.

(b) "MA" means a masters degree.

(c) "PHD" means a doctorate degree.

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

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

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

(a) The employee has a masters degree; or

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

(7) The certificated instructional staff base salary specified for each district in LEAP Document 2 and the salary schedules in subsection (4)(a) of this section include two learning improvement days. A school district is eligible for the learning improvement day funds only if the learning improvement days have been added to the 180-day contract year. If fewer days are added, the additional learning improvement allocation shall be adjusted accordingly. The additional days shall be limited to specific activities identified in the state required school improvement plan related to improving student learning that are consistent with education reform implementation, and shall not be considered part of basic education. The principal in each school shall assure that the days are used to provide the necessary school-wide, all staff professional development that is tied directly to the school improvement plan. The school principal and the district superintendent shall maintain documentation as to their approval of these activities. The length of a learning improvement day shall not be less than the length of a full day under the base contract. The superintendent of public instruction shall ensure that school districts adhere to the intent and purposes of this subsection.

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

**Sec. 504.** 2007 c 522 s 504 (uncodified) is amended to read as follows:

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**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

~~((g))~~ (h) The appropriations in this section provide cost of living and incremental fringe benefit allocations based on formula adjustments as follows:

General Fund--State Appropriation (FY 2008)	<del>(\$161,665,000)</del>
	\$161,280,000
General Fund--State Appropriation (FY 2009)	<del>(\$348,871,000)</del>
	\$405,228,000
General Fund--Federal Appropriation	<del>(\$243,000)</del>
	\$275,000
TOTAL APPROPRIATION	<del>(\$510,779,000)</del>
	\$566,783,000

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

(1) ~~(\$444,366,000)~~ \$500,195,000 is provided solely for the following:

(a) A cost of living adjustment of 3.7 percent effective September 1, 2007, and another ~~((2.8))~~ 3.9 percent effective September 1, 2008, pursuant to Initiative Measure No. 732.

(b) An additional .5 percent cost of living adjustment is provided above the amount required by Initiative Measure No. 732, effective September 1, 2008.

(c) Additional salary increases as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act. Allocations for these salary increases shall be provided to all 262 districts that are not grandfathered to receive salary allocations above the statewide salary allocation schedule, and to certain grandfathered districts to the extent necessary to ensure that salary allocations for districts that are currently grandfathered do not fall below the statewide salary allocation schedule. These additional salary increases will result in a decrease in the number of grandfathered districts from the current thirty-four to twenty-four in the 2007-08 school year and to ~~((thirteen))~~ twelve in the 2008-09 school year.

~~((e))~~ (d) Additional salary increases to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act. These additional salary increases shall ensure a minimum salary allocation for certificated administrative staff of \$54,405 in the 2007-08 school year and ~~(\$57,097)~~ \$57,986 in the 2008-09 school year.

~~((f))~~ (e) Additional salary increases to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act. These additional salary increases ensure a minimum salary allocation for classified staff of \$30,111 in the 2007-08 school year and ~~(\$31,376)~~ \$31,865 in the 2008-09 school year.

~~((e))~~ (f) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at rates ~~((13.49))~~ 13.47 percent for the 2007-08 school year and ~~((16.05))~~ 16.11 percent for the 2008-09 school year for certificated staff and ~~((13.56))~~ 13.54 percent for the 2007-08 school year and ~~((15.24))~~ 15.22 percent for the 2008-09 school year for classified staff.

~~((f))~~ (g) The appropriations in this section include the increased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Increases for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 502 and 503 of this act. Increases for special education result from increases in each district's basic education allocation per student. Increases for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act.

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	School Year	
	2007-08	2008-09
Pupil Transportation (per weighted pupil mile)	\$1.08	<del>(\$2.04)</del> <u>\$2.46</u>
Highly Capable (per formula student)	\$11.13	<del>(\$20.98)</del> <u>\$25.51</u>
Transitional Bilingual Education (per eligible bilingual student)	<del>(\$29.81)</del> <u>\$29.80</u>	<del>(\$56.19)</del> <u>\$68.33</u>
Learning Assistance (per formula student)	\$7.00	<del>(\$13.20)</del> <u>\$18.86</u>

~~((+))~~ (i) The appropriations in this section include \$925,000 for fiscal year 2008 and ~~(\$1,940,000)~~ \$2,314,000 for fiscal year 2009 for salary increase adjustments for substitute teachers.

(2) ~~(\$66,415,000)~~ \$66,591,000 is provided for adjustments to insurance benefit allocations. The maintenance rate for insurance benefit allocations is \$682.54 per month for the 2007-08 and 2008-09 school years. The appropriations in this section provide for a rate increase to \$707.00 per month for the 2007-08 school year and \$732.00 per month for the 2008-09 school year. The adjustments to health insurance benefit allocations are at the following rates:

	School Year	
	2007-08	2008-09
Pupil Transportation (per weighted pupil mile)	\$0.22	\$0.45
Highly Capable (per formula student)	<del>(\$1.49)</del> <u>\$1.50</u>	\$3.05
Transitional Bilingual Education (per eligible bilingual student)	<del>(\$3.97)</del> <u>\$3.96</u>	\$8.01
Learning Assistance (per formula student)	\$0.86	<del>(\$1.75)</del> <u>\$2.05</u>

(3) The rates specified in this section are subject to revision each year by the legislature.

**Sec. 505.** 2007 c 522 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

General Fund--State Appropriation (FY 2008)	<del>(\$262,728,000)</del> <u>\$273,409,000</u>
General Fund--State Appropriation (FY 2009)	<del>(\$264,700,000)</del> <u>\$276,510,000</u>
Education Legacy Trust Account--State Appropriation	\$25,000,000
<b>TOTAL APPROPRIATION</b>	<del>(\$552,428,000)</del> <u>\$574,919,000</u>

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

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

(2) A maximum of \$848,000 of this fiscal year 2008 appropriation and a maximum of ~~(\$866,000)~~ \$878,000 of the fiscal year 2009 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(3) \$5,000 of the fiscal year 2008 appropriation and \$5,000 of the fiscal year 2009 appropriation are provided solely for the transportation of students enrolled in "choice" programs. Transportation shall be limited to low-income students who are transferring to "choice" programs solely for educational reasons.

(4) Allocations for transportation of students shall be based on reimbursement rates of \$44.84 per weighted mile in the 2007-08 school year and ~~(\$45.48)~~ \$45.68 per weighted mile in the 2008-09 school year exclusive of salary and benefit adjustments provided in section 504 of this act. Allocations for transportation of students transported more than one radius mile shall be based on weighted miles as determined by superintendent of public instruction multiplied by the per mile reimbursement rates for the school year pursuant to the formulas adopted by the superintendent of public instruction. Allocations for transportation of students living within one radius mile shall be based on the number of enrolled students in grades kindergarten through five living within one radius mile of their assigned school multiplied by the per mile reimbursement rate for the school year multiplied by 1.29.

(5) \$25,000,000 of the education legacy trust account--state appropriation is provided solely for temporary assistance to school districts for pupil transportation programs. The office of the superintendent of public instruction, in consultation with the joint legislative audit and review committee, will develop a method of allocating these funds to school districts. The allocation method shall be based primarily on the findings and analysis from the joint legislative and audit review committee's K-12 pupil transportation study completed in December 2006.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the five-year average of lowest bids in the appropriate category of bus. In the

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final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

Sec. 506. 2007 c 522 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS**

General Fund--State Appropriation (FY 2008)	<del>(\$532,192,000)</del>
	\$543,469,000
General Fund--State Appropriation (FY 2009)	<del>(\$566,174,000)</del>
	\$581,925,000
General Fund--Federal Appropriation . . . . .	<del>(\$435,735,000)</del>
	\$435,692,000
Education Legacy Trust Account--State Appropriation . . . . .	\$14,561,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$1,548,662,000)</b></del>
	\$1,575,647,000

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

(1) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(2)(a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall adopt the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, and ensure that all school districts adopt the method beginning in the 2007-08 school year.

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

(4) The superintendent of public instruction shall distribute state funds to school districts based on two categories: (a) The first category includes (i) children birth through age two who are eligible for the optional program for special education eligible developmentally delayed infants and toddlers, and (ii) students eligible for the mandatory special education program and who are age three or four, or five and not yet enrolled in kindergarten; and (b) the second category includes students who are eligible for the mandatory special education program and who are age five and enrolled in kindergarten and students age six through 21.

(5)(a) For the 2007-08 and 2008-09 school years, the superintendent shall make allocations to each district based on the sum of:

(i) A district's annual average headcount enrollment of students ages birth through four and those five year olds not yet enrolled in kindergarten, as defined in subsection (4) of this section, multiplied by the district's average basic education allocation per full-time equivalent student, multiplied by 1.15; and

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(ii) A district's annual average full-time equivalent basic education enrollment multiplied by the funded enrollment percent determined pursuant to subsection (6)(b) of this section, multiplied by the district's average basic education allocation per full-time equivalent student multiplied by 0.9309.

(b) For purposes of this subsection, "average basic education allocation per full-time equivalent student" for a district shall be based on the staffing ratios required by RCW 28A.150.260 and shall not include enhancements, secondary vocational education, or small schools.

(6) The definitions in this subsection apply throughout this section.

(a) "Annual average full-time equivalent basic education enrollment" means the resident enrollment including students enrolled through choice (RCW 28A.225.225) and students from nonhigh districts (RCW 28A.225.210) and excluding students residing in another district enrolled as part of an interdistrict cooperative program (RCW 28A.225.250).

(b) "Enrollment percent" means the district's resident special education annual average enrollment, excluding the birth through age four enrollment and those five year olds not yet enrolled in kindergarten, as a percent of the district's annual average full-time equivalent basic education enrollment.

Each district's general fund--state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(7) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with subsection (6)(b) of this section, and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(8) To the extent necessary, ~~(\$30,690,000)~~ \$53,926,000 of the general fund--state appropriation and \$29,574,000 of the general fund--federal appropriation are provided for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (5) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the (amount appropriated) federal appropriation in this subsection (8) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. Safety net funds shall be awarded by the state safety net oversight committee subject to the following conditions and limitations:

(a) The committee shall consider unmet needs for districts that can convincingly demonstrate that all legitimate expenditures for special education exceed all available revenues from state funding formulas. In the determination of need, the committee shall also consider additional available revenues from federal sources. Differences in program costs attributable to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for safety net awards. In the determination of need, the committee shall require that districts demonstrate that they are maximizing their eligibility for all state and federal revenues related to services for special education-eligible students. Awards associated with (b) and (c) of this subsection shall not exceed the total of a district's specific determination of need.

(b) The committee shall then consider the extraordinary high cost needs of one or more individual special education students. Differences in costs attributable to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for safety net awards.

(c) Using criteria developed by the committee, the committee shall then consider extraordinary costs associated with communities that draw a larger number of families with children in need of special education services. The safety net



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awards to school districts shall be adjusted to reflect amounts awarded under (b) of this subsection.

(d) The maximum allowable indirect cost for calculating safety net eligibility may not exceed the federal restricted indirect cost rate for the district plus one percent.

(e) Safety net awards must be adjusted for any audit findings or exceptions related to special education funding.

(f) Safety net awards shall be adjusted based on the percent of potential medicaid eligible students billed as calculated by the superintendent in accordance with chapter 318, Laws of 1999. The state safety net oversight committee shall ensure that safety net documentation and awards are based on current medicaid revenue amounts.

(9) The superintendent of public instruction may adopt such rules and procedures as are necessary to administer the special education funding and safety net award process. Prior to revising any standards, procedures, or rules, the superintendent shall consult with the office of financial management and the fiscal committees of the legislature.

(10) The safety net oversight committee appointed by the superintendent of public instruction shall consist of:

(a) One staff from the office of superintendent of public instruction;

(b) Staff of the office of the state auditor who shall be nonvoting members of the committee; and

(c) One or more representatives from school districts or educational service districts knowledgeable of special education programs and funding.

(11) The office of the superintendent of public instruction shall review and streamline the application process to access safety net funds, provide technical assistance to school districts, and annually survey school districts regarding improvement to the process.

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

(13) A maximum of \$1,000,000 of the general fund--federal appropriation is provided for projects to provide special education students with appropriate job and independent living skills, including work experience where possible, to facilitate their successful transition out of the public school system. The funds provided by this subsection shall be from federal discretionary grants.

(14) \$50,000 of the general fund--state appropriation for fiscal year 2008, \$50,000 of the general fund--state appropriation for fiscal 2009, and \$100,000 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction. The purpose of the program is to provide support to parents, guardians, educators, and students with disabilities. The program will provide information to help families and educators understand state laws, rules, and regulations, and access training and support, technical information services, and mediation services. The ombudsman program will provide data, information, and appropriate recommendations to the office of superintendent of public instruction, school districts, educational service districts, state need projects, and the parent and teacher information center. Within the appropriations in this section there is sufficient funding provided to also provide at least a half-time support staff position for the special education ombudsman program.

(15) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and

for staff development activities particularly relating to inclusion issues.

(16) A maximum of \$1,200,000 of the general fund--federal appropriation may be expended by the superintendent for projects related to use of inclusion strategies by school districts for provision of special education services.

(17) The superintendent, consistent with the new federal IDEA reauthorization, shall continue to educate school districts on how to implement a birth-to-three program and review the cost effectiveness and learning benefits of early intervention.

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

(19) \$262,000 of the general fund--state appropriation for fiscal year 2008 and \$251,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

**Sec. 507.** 2007 c 522 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund--State Appropriation (FY 2008)	. (( <del>\$7,520,000</del> ))
	\$7,519,000
General Fund--State Appropriation (FY 2009)	. (( <del>\$8,527,000</del> ))
	\$10,248,000
TOTAL APPROPRIATION	. (( <del>\$16,047,000</del> ))
	\$17,767,000

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

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

(2) \$1,662,000 of the general fund--state appropriation in fiscal year 2008 and \$3,355,000 of the general fund--state appropriation in fiscal year 2009 are provided solely for regional professional development related to mathematics and science curriculum and instructional strategies. For each educational service district, \$184,933 is provided in fiscal year 2008 for professional development activities related to mathematics curriculum and instruction and \$372,357 is provided in fiscal year 2009 for professional development activities related to mathematics and science curriculum and instruction. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support. The office of superintendent of public instruction shall also allocate to each educational service district additional amounts provided in section 504 of this act for compensation increases associated with the salary amounts and staffing provided in this subsection (2).

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

(4) \$876,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6673 (student learning opportunities) to establish reading improvement

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specialist positions in each of the nine educational service districts. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(5) \$592,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6673 (student learning opportunities) for educational service district outreach to community-based programs and organizations within the district that are serving non-English speaking segments of the population as well as those programs that target subgroups of students that may be struggling academically. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(6) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Substitute House Bill No. 2679 (educational outcomes for students in foster care). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 508. 2007 c 522 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE**

General Fund--State Appropriation (FY 2008)	<del>(\$202,394,000)</del>
	\$203,555,000
General Fund--State Appropriation (FY 2009)	<del>(\$212,310,000)</del>
	\$220,100,000
TOTAL APPROPRIATION	<del>(\$414,704,000)</del>
	\$423,655,000

Sec. 509. 2007 c 522 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund--State Appropriation (FY 2008)	<del>(\$18,301,000)</del>
	\$19,105,000
General Fund--State Appropriation (FY 2009)	<del>(\$18,513,000)</del>
	\$19,764,000
TOTAL APPROPRIATION	<del>(\$36,814,000)</del>
	\$38,869,000

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

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

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

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

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) ~~(\$196,000)~~ \$187,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$196,000)~~ \$133,797 of the general fund--state appropriation for fiscal year 2009 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles,

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programs for juveniles under the department of corrections, and programs for juveniles under the juvenile rehabilitation administration.

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

Sec. 510. 2007 c 522 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

General Fund--State Appropriation (FY 2008)	<del>(\$8,396,000)</del>
	\$8,383,000
General Fund--State Appropriation (FY 2009)	<del>(\$8,779,000)</del>
	\$8,788,000
TOTAL APPROPRIATION	<del>(\$17,175,000)</del>
	\$17,171,000

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

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

(2) Allocations for school district programs for highly capable students shall be distributed at a maximum rate of ~~(\$372.19)~~ \$372.15 per funded student for the 2007-08 school year and ~~(\$378.17)~~ \$378.13 per funded student for the 2008-09 school year, exclusive of salary and benefit adjustments pursuant to section 504 of this act. The number of funded students shall be a maximum of 2.314 percent of each district's full-time equivalent basic education enrollment.

(3) \$170,000 of the fiscal year 2008 appropriation and \$170,000 of the fiscal year 2009 appropriation are provided for the centrum program at Fort Worden state park.

(4) \$90,000 of the fiscal year 2008 appropriation and \$90,000 of the fiscal year 2009 appropriation are provided for the Washington destination imagination network and future problem-solving programs.

Sec. 511. 2007 c 522 s 513 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM PROGRAMS**

General Fund--State Appropriation (FY 2008)	<del>(\$66,278,000)</del>
	\$66,272,000
General Fund--State Appropriation (FY 2009)	<del>(\$73,567,000)</del>
	\$89,985,000
Education Legacy Trust Account--State	
Appropriation	<del>(\$125,325,000)</del>
	\$120,790,000
General Fund--Federal Appropriation	<del>(\$152,616,000)</del>
	\$152,568,000
TOTAL APPROPRIATION	<del>(\$417,786,000)</del>
	\$429,615,000

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

(1) ~~(\$19,966,000)~~ \$19,716,000 of the general fund--state appropriation for fiscal year 2008, ~~(\$19,946,000)~~ \$21,996,000 of the general fund--state appropriation for fiscal year 2009, \$1,350,000 of the education legacy trust account--state appropriation, and \$15,870,000 of the general fund--federal appropriation are provided solely for development and implementation of the Washington assessments of student learning (WASL), including: (i) Development and implementation of retake assessments for high school students who are not successful in one or more content areas of the WASL; and (ii) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on

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development and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student WASL results, on or around June 10th of each year. In addition to the amounts provided for the Washington assessments of student learning in this subsection, \$11,372,000 is also included in the appropriations to the office of financial management in this act for an interagency agreement with the office of superintendent of public instruction for the expenditure of those funds based on compliance with certain requirements.

(2) \$3,249,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Substitute House Bill No. 3166 (design of the state assessment system and the Washington assessment of student learning), including section 3 of the act providing for end-of-course tests in math. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

~~(\$250,000 of the general fund--state appropriation for fiscal year 2008, \$250,000 of the general fund--state appropriation for fiscal year 2009, and \$10,750,000 of the education legacy trust account--state appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 6023 (regarding alternative assessments), including section 2 and section 5 of that act. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse. Additionally, the funding provided in this subsection is subject to the following conditions and limitations:~~

~~—(a) The funding may be spent on reviewing, developing, and implementing approved alternative assessments authorized in Engrossed Substitute Senate Bill No. 6023 (regarding alternative assessments).~~

~~—(b) The funding may also be used for reviewing, developing, and implementing end-of-course examinations pursuant to Engrossed Substitute Senate Bill No. 6023 (regarding alternative assessments).~~

~~—(c) The funding may be used for increased costs associated with additional full-time equivalent students directly resulting from additional course-taking requirements specified in Engrossed Substitute Senate Bill No. 6023 (regarding alternative assessments).~~

~~—(d) \$4,900,000 of the funds provided in this subsection are provided solely for allocations for school districts to purchase diagnostic assessments as specified in Engrossed Substitute Senate Bill No. 6023. By September 1, 2007, the office of the superintendent of public instruction shall: (i) Negotiate an agreement with an assessment vendor or vendors to secure competitive pricing for school districts for high quality diagnostic assessment tools, and (ii) provide quality comparison information to school districts regarding various diagnostic assessment tools available. Of the funding provided, a maximum of \$100,000 may be spent by the office of the superintendent of public instruction for administrative support.~~

~~—(e) Beginning on September 1, 2007, the office of the superintendent of public instruction shall submit quarterly reports to the office of financial management and the appropriate policy and fiscal committees of the legislature detailing the actions taken pursuant to Engrossed Substitute Senate Bill No. 6023 (regarding alternative assessments) and amounts spent of each aspect of the legislation.)~~

(3) \$250,000 of the general fund--state appropriation for fiscal year 2008, \$250,000 of the general fund--state appropriation for fiscal year 2009, and \$4,400,000 of the education legacy trust account--state appropriation is provided solely for the development and implementation of diagnostic assessments, subject to the following terms and conditions:

(a) A maximum of \$2,540,000 of the funding provided in this subsection shall support the development and implementation of voluntary classroom-based diagnostic assessments and progress monitoring tools for all subject areas included in the WASL by the office of the superintendent of public instruction; and

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(b) \$2,360,000 of the funding provided in this subsection is for allocations to school districts to purchase assessment tools which supplement the system of diagnostic tests developed by the office of the superintendent of public instruction as described in (a) of this subsection.

~~—(4) \$70,000 of the general fund--state appropriation for fiscal year 2008 and \$70,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the second grade assessments.~~

~~((4)) (5) \$1,414,000 of the general fund--state appropriation for fiscal year 2008 and \$1,414,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for (a) the tenth grade mathematics assessment tool that: (i) Presents the mathematics essential learnings in segments for assessment; (ii) is comparable in content and rigor to the tenth grade mathematics WASL when all segments are considered together; (iii) is reliable and valid; and (iv) can be used to determine a student's academic performance level; (b) tenth grade mathematics knowledge and skill learning modules to teach middle and high school students specific skills that have been identified as areas of difficulty for tenth grade students; and (c) making the modules available on-line.~~

~~((5)) (6) \$2,267,000 of the general fund--state appropriation for fiscal year 2009 and \$2,367,000 of the education legacy trust account appropriation are provided solely to develop a system of mathematics and science standards and instructional materials that are internationally competitive and consistent with emerging best practices research. Funding in this subsection shall fund all of the following specific projects:~~

~~(a) The office of the superintendent of public instruction shall adopt revised state standards in mathematics as directed by Second Substitute House Bill No. 1906 (improving mathematics and science education). Activities include conducting research at the request of the state board of education, engaging one or more national experts in mathematics selected by the board, and convening education practitioners and community members in an advisory capacity regarding revised standards in mathematics.~~

~~(b) The office of the superintendent of public instruction, in consultation with the state board of education, shall research and identify not more than three basic mathematics curricula as well as diagnostic and supplemental instructional materials for elementary, middle, and high school grade spans that align with the revised mathematics standards.~~

~~(c) The office of the superintendent of public instruction shall adopt revised state standards in science as directed by Second Substitute House Bill No. 1906 (improving mathematics and science education). Activities include conducting research at the request of the state board of education, engaging one or more national experts in science selected by the board, and convening education practitioners and community members in an advisory capacity regarding revised standards in science.~~

~~(d) The office of the superintendent of public instruction, in consultation with the state board of education, shall research and identify not more than three basic science curricula as well as diagnostic and supplemental instructional materials for elementary, middle, and high school grade spans that align with the revised science standards.~~

~~(e) The office of the superintendent of public instruction shall evaluate science textbooks, instructional materials, and diagnostic tools to determine the extent to which they are aligned with the revised science standards. Once the evaluations have been conducted, results will be shared with science teachers, other educators, and community members.~~

~~(f) Funding is provided for the office of the superintendent of public instruction to develop WASL knowledge and skill learning modules to assist students performing at tenth grade level 1 and level 2 in science.~~

~~(g) Of the amounts provided in this subsection, \$300,000 is provided solely to the state board of education to increase capacity to implement the provisions of Second Substitute House Bill No. 1906 (improving mathematics and science~~

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education) and Engrossed Second Substitute Senate Bill No. 6023 (regarding alternative assessments).

~~((6))~~ (7) \$8,950,000 of the education legacy trust account appropriation is provided solely for allocations to districts for salaries and benefits for the equivalent of two additional professional development days each school year for fourth and fifth grade teachers. The allocations shall be made based on the calculations of certificated instructional staff units for fourth and fifth grade provided in section 502 of this act and on the calculations of compensation provided in sections 503 and 504 of this act. Allocations made pursuant to this subsection are intended to be formula-driven, and the office of the superintendent of public instruction shall provide updated projections of the relevant budget drivers by November 20, 2007, and by November 20, 2008. In the 2007-08 school year, the professional development activities funded by this subsection shall be focused on development of mathematics knowledge and instructional skills and on improving instruction in science. In the 2008-09 school year, the additional professional development shall focus on skills related to implementing the new international mathematics and science standards and curriculum. Districts may use the funding to support additional days for professional development as well as job-embedded forms of professional development.

~~((7))~~ (8) \$13,058,000 of the education legacy trust fund appropriation is provided solely for allocations to districts for salaries and benefits for the equivalent of three additional professional development days for middle and high school math teachers and the equivalent of three additional professional development days for middle and high school science teachers. The office of the superintendent of public instruction shall develop rules to determine the number of math and science teachers in middle and high schools within each district. Allocations made pursuant to this subsection are intended to be formula-driven, and the office of the superintendent of public instruction shall provide updated projections of the relevant budget drivers by November 20, 2007, and by November 20, 2008. Districts may use the funding to support additional days for professional development as well as job-embedded forms of professional development, consistent with the following:

(a) For middle school teachers during the 2007-08 school year the additional math professional development funded in this subsection shall focus on development of basic mathematics knowledge and instructional skills and the additional science professional development shall focus on examination of student science assessment data and identification of science knowledge and skill areas in need of additional instructional attention. For middle school teachers during the 2008-09 school year the additional math professional development shall focus on skills related to implementing the new international mathematics standards and the additional science professional development shall focus on skills related to implementing the new international science standards.

(b) For high school teachers during the 2007-08 school year the additional math professional development funded in this subsection shall focus on skills related to implementing state math learning modules, the segmented math class/assessment program, the collection of evidence alternative assessment, and basic mathematics knowledge and instructional skills, and the additional science professional development shall focus on skills related to examination of student science assessment data and identification of science knowledge and skill areas in need of additional instructional attention. For high school teachers during the 2008-09 school year the additional math professional development shall focus on skills related to implementing the new international mathematics standards and the additional science professional development shall focus on skills related to implementing the new international science standards.

~~((8))~~ (9) \$17,491,000 of the education legacy trust fund appropriation is provided solely for allocations to districts for specialized professional development in math for one math

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teacher and one science teacher in each middle school and one math teacher and one science teacher in each high school. The allocations shall be based on five additional professional development days per teacher and an additional allocation per teacher of \$1,500 for training costs. In order to generate an allocation under this subsection, a teacher must participate in specialized professional development that leads to the implementation of mathematics and science courses that add new rigor to the math and science course offerings in the school. Allocations made pursuant to this subsection are intended to be formula-driven, and the office of the superintendent of public instruction shall provide updated projections of the relevant budget drivers by November 20, 2007, and by November 20, 2008.

~~((9))~~ (10) \$5,376,000 of the education legacy trust account--state appropriation is provided solely for a math and science instructional coaches program pursuant to Second Substitute House Bill No. 1906 (improving mathematics and science education). Funding shall be used to provide grants to schools and districts to provide salaries, benefits, and professional development activities to twenty-five instructional coaches in middle and high school math in the 2007-08 and 2008-09 school years and twenty-five instructional coaches in middle and high school science in the 2008-09 school years; and up to \$300,000 may be used by the office of the superintendent of public instruction to administer and coordinate the program. Each instructional coach will receive five days of training at a coaching institute prior to being assigned to serve two schools each. These coaches will attend meetings during the year to further their training and assist with coordinating statewide trainings on math and science.

~~((10))~~ (11) ~~(\$1,500,000)~~ \$1,133,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$1,500,000)~~ \$1,133,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to allow approved middle and junior high school career and technical education programs to receive enhanced vocational funding pursuant to Second Substitute House Bill No. 1906 (improving mathematics and science education). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse. The office of the superintendent of public instruction shall provide allocations to districts for middle and junior high school students in accordance with the funding formulas provided in section 502 of this act. Although the allocations are formula-driven, the office of the superintendent shall consider the funding provided in this subsection as a fixed amount, and shall adjust funding to stay within the amounts provided in this subsection.

~~((11))~~ (12) \$143,000 of the general fund--state appropriation for fiscal year 2008 and \$139,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year professional development training for implementing integrated math, science, technology, and engineering program in their schools.

~~((12))~~ (13) \$5,303,000 of the general fund--state appropriation for fiscal year 2008 and \$5,303,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for in-service training and educational programs conducted by the Pacific science center and for the Washington state leadership assistance for science education reform (LASER) regional partnership coordinated at the Pacific science center.

~~((13))~~ \$675,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to support state college readiness assessment fees for eleventh grade students. The office of the superintendent of public instruction shall allocate funds for this purpose to school districts based on the number of

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~~eleventh grade students who complete the college readiness exam. School districts shall use these funds to reimburse institutions of higher education for the assessments students take and report to the office of the superintendent of public instruction on the number of assessments provided.)~~

(14) (~~(\$51,236,000)~~) \$51,701,000 of the education legacy trust account--state appropriation is provided solely for grants for voluntary full-day kindergarten at the highest poverty schools, as provided in Engrossed Second Substitute Senate Bill 5841 (enhancing student learning opportunities and achievement). The office of the superintendent of public instruction shall provide allocations to districts for recipient schools in accordance with the funding formulas provided in section 502 of this act. Each kindergarten student who enrolls for the voluntary full-day program in a recipient school shall count as one-half of one full-time equivalent student for the purpose of making allocations under this subsection. Although the allocations are formula-driven, the office of the superintendent shall consider the funding provided in this subsection as a fixed amount, and shall limit the number of recipient schools so as to stay within the amounts appropriated each fiscal year in this subsection. The funding provided in this subsection is estimated to provide full-day kindergarten programs for 10 percent of kindergarten enrollment in the 2007-08 school year and 20 percent of kindergarten enrollment in the 2008-09 school year. Funding priority shall be given to schools with the highest poverty levels, as measured by prior year free and reduced priced lunch eligibility rates in each school. Additionally, as a condition of funding, school districts must agree to provide the full-day program to the children of parents who request it in each eligible school. For the purposes of calculating a school district levy base, funding provided in this subsection shall be considered a state block grant program under RCW 84.52.0531.

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

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

(15) \$65,000 of the general fund--state appropriation for fiscal year 2008 and \$65,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support a full-day kindergarten "lighthouse" resource program at the Bremerton school district, as provided in Engrossed Second Substitute Senate Bill No. 5841 (enhancing student learning opportunities and achievement). The purpose of the program is to provide technical assistance to districts in the initial stages of implementing a high quality full-day kindergarten program.

(16) \$3,047,000 of the education legacy trust account--state appropriation is provided solely for grants for three demonstration projects for kindergarten through grade three. The purpose of the grants is to implement best practices in developmental learning in kindergarten through third grade pursuant to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student learning opportunities and achievement).

(17) \$300,000 of the general fund--state appropriation for fiscal year 2008 and \$1,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to design, field test, and implement a state-of-the-art education leadership academy that will be accessible throughout the state. Initial development of the content of the academy activities shall be supported by private funds. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners, with varying roles, shall include

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the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(18) \$661,000 of the general fund--state appropriation for fiscal year 2008 and \$684,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for grants to school districts to implement emerging best practices activities in support of classroom teachers' instruction of students, with a first language other than English, who struggle with acquiring academic English skills, as outlined in Engrossed Second Substitute Senate Bill No. 5841 (enhancing student learning opportunities and achievement). Best practices shall focus on professional development for classroom teachers and support of instruction for English language learners in regular classrooms. School districts qualifying for these grants shall serve a student population that reflects many different first languages among their students. The Northwest educational research laboratory (NWREL) shall evaluate the effectiveness of the practices supported by the grants as provided in section 501 of this act. Recipients of these grants shall cooperate with NWREL in the collection of program data.

(19) \$548,000 of the fiscal year 2008 general fund--state appropriation and \$548,000 of the fiscal year 2009 general fund--state appropriation are provided solely for training of paraprofessional classroom assistants and certificated staff who work with classroom assistants as provided in RCW 28A.415.310.

(20) \$2,348,000 of the general fund--state appropriation for fiscal year 2008 and \$2,348,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for mentor teacher assistance, including state support activities, under RCW 28A.415.250 and 28A.415.260, and for a mentor academy. Up to \$200,000 of the amount in this subsection may be used each fiscal year to operate a mentor academy to help districts provide effective training for peer mentors. Funds for the teacher assistance program shall be allocated to school districts based on the number of first year beginning teachers.

(21) \$705,000 of the general fund--state appropriation for fiscal year 2008 and \$705,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(22) (~~(\$98,761,000)~~) \$105,765,000 of the general fund--federal appropriation is provided for preparing, training, and recruiting high quality teachers and principals under Title II of the no child left behind act.

(23)(a) \$488,000 of the general fund--state appropriation for fiscal year 2008 and \$488,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a principal support program. The office of the superintendent of public instruction may contract with an independent organization to administer the program. The program shall include: (i) Development of an individualized professional growth plan for a new principal or principal candidate; and (ii) participation of a mentor principal who works over a period of between one and three years with the new principal or principal candidate to help him or her build the skills identified as critical to the success of the professional growth plan. Within the amounts provided, \$25,000 per year shall be used to support additional participation of secondary principals.

(b) \$3,046,000 of the general fund--state appropriation for fiscal year 2008 and \$3,046,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the office of the superintendent of public instruction for focused assistance. The office of the superintendent of public instruction shall conduct educational audits of low-performing schools and enter into performance agreements between school districts and the office to implement the recommendations of the audit and the community. Each educational audit shall include recommendations for best practices and ways to address

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identified needs and shall be presented to the community in a public meeting to seek input on ways to implement the audit and its recommendations.

(24) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 and \$1,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a high school and school district improvement program modeled after the office of the superintendent of public instruction's existing focused assistance program in subsection (25)(b) of this section. The state funding for this improvement program will match an equal amount committed by a nonprofit foundation in furtherance of a jointly funded program.

(25) A maximum of \$375,000 of the general fund--state appropriation for fiscal year 2008 and a maximum of \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided for summer accountability institutes offered by the superintendent of public instruction. The institutes shall provide school district staff with training in the analysis of student assessment data, information regarding successful district and school teaching models, research on curriculum and instruction, and planning tools for districts to improve instruction in reading, mathematics, language arts, social studies, including civics, and guidance and counseling. The superintendent of public instruction shall offer at least one institute specifically for improving instruction in mathematics in fiscal years 2008 and 2009 and at least one institute specifically for improving instruction in science in fiscal year 2009.

(26) \$515,000 of the general fund--state appropriation for fiscal year 2008 and \$515,000 of the general fund--state appropriation for fiscal year 2009 are provided for the evaluation of mathematics textbooks, other instructional materials, and diagnostic tools to determine the extent to which they are aligned with the state standards. Once the evaluations have been conducted, results will be shared with math teachers, other educators, and community members for the purposes of validating the conclusions and then selecting up to three curricula, supporting materials, and diagnostic instruments as those best able to assist students to learn and teachers to teach the content of international standards. In addition, the office of the superintendent shall continue to provide support and information on essential components of comprehensive, school-based reading programs.

(27) \$1,764,000 of the general fund--state appropriation for fiscal year 2008 and \$1,764,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the mathematics helping corps subject to the following conditions and limitations:

(a) In order to increase the availability and quality of technical mathematics assistance statewide, the superintendent of public instruction shall employ mathematics school improvement specialists to provide assistance to schools and districts. The specialists shall be hired by and work under the direction of a statewide school improvement coordinator. The mathematics improvement specialists shall not be permanent employees of the superintendent of public instruction.

(b) The school improvement specialists shall provide the following:

(i) Assistance to schools to disaggregate student performance data and develop improvement plans based on those data;

(ii) Consultation with schools and districts concerning their performance on the Washington assessment of student learning and other assessments emphasizing the performance on the mathematics assessments;

(iii) Consultation concerning curricula that aligns with the essential academic learning requirements emphasizing the academic learning requirements for mathematics, the Washington assessment of student learning, and meets the needs of diverse learners;

(iv) Assistance in the identification and implementation of research-based instructional practices in mathematics;

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(v) Staff training that emphasizes effective instructional strategies and classroom-based assessment for mathematics;

(vi) Assistance in developing and implementing family and community involvement programs emphasizing mathematics; and

(vii) Other assistance to schools and school districts intended to improve student mathematics learning.

(28) \$125,000 of the general fund--state appropriation for fiscal year 2008 and \$125,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the improvement of reading achievement and implementation of research-based reading models. The superintendent shall evaluate reading curriculum programs and other instructional materials to determine the extent to which they are aligned with state standards. A report of the analyses shall be made available to school districts. The superintendent shall report to districts the assessments that are available to screen and diagnose reading difficulties, and shall provide training on how to implement a reading assessment system. Resources may also be used to disseminate grade level expectations and develop professional development modules and web-based materials.

(29) (~~(\$30,401,000)~~) \$30,706,000 of the general fund--federal appropriation is provided for the reading first program under Title I of the no child left behind act.

(a) \$500,000 of the general fund--state appropriation for fiscal year 2008 (~~and \$500,000 of the general fund--state appropriation for fiscal year 2009 are~~) is provided solely for the office of the superintendent of public instruction to award five grants to parent, community, and school district partnership programs that will meet the unique needs of different groups of students in closing the achievement gap. The legislature intends that the pilot programs will help students meet state learning standards, achieve the skills and knowledge necessary for college or the workplace, reduce the achievement gap, prevent dropouts, and improve graduation rates.

(b) The pilot programs shall be designed in such a way as to be supplemental to educational services provided in the district and shall utilize a community partnership based approach to helping students and their parents.

(c) The grant recipients shall work in collaboration with the office of the superintendent of public instruction to develop measurable goals and evaluation methodologies for the pilot programs. \$25,000 of this appropriation may be used by the office of the superintendent of public instruction to hold a statewide meeting to disseminate successful strategies developed by the grantees.

(d) The office of the superintendent of public instruction shall issue a report to the legislature in the 2009 session on the progress of each of the pilot programs.

(30) \$1,500,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the office of the superintendent of public instruction to support and award Washington community learning center program grants pursuant to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student learning opportunities and achievement). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(31) (~~(\$1,629,000)~~) \$1,643,000 of the general fund--state appropriation for fiscal year 2008 and (~~(\$1,638,000)~~) \$1,667,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to eliminate the lunch co-pay for students in grades kindergarten through third grade that are eligible for reduced price lunch.

(32) \$400,000 of the education legacy trust account--state appropriation is provided solely for the development of mathematics support activities provided by community organizations in after school programs. Pursuant to Second Substitute House Bill No. 1906 (improving mathematics and science education), the office of the superintendent of public instruction shall administer grants to community organizations

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that partner with school districts to provide these activities and develop a mechanism to report program and student success.

(33) \$5,222,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$5,222,000)~~ \$5,285,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for: (a) The meals for kids program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the breakfast co-pay for students eligible for reduced price lunch; and (c) for additional assistance for school districts initiating a summer food service program.

(34) \$1,056,000 of the general fund--state appropriation for fiscal year 2008 and \$1,056,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to low-performing schools and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs. Grants provided under this section may be used by school districts for expenditures from September 2007 through August 31, 2009.

(35) \$3,594,000 of the general fund--state appropriation for fiscal year 2008 and \$3,594,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for grants to school districts to provide a continuum of care for children and families to help children become ready to learn. Grant proposals from school districts shall contain local plans designed collaboratively with community service providers. If a continuum of care program exists in the area in which the school district is located, the local plan shall provide for coordination with existing programs to the greatest extent possible. Grant funds shall be allocated pursuant to RCW 70.190.040.

(36) \$1,959,000 of the general fund--state appropriation for fiscal year 2008 and \$1,959,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for improving technology infrastructure, monitoring and reporting on school district technology development, promoting standards for school district technology, promoting statewide coordination and planning for technology development, and providing regional educational technology support centers, including state support activities, under chapter 28A.650 RCW. The superintendent of public instruction shall coordinate a process to facilitate the evaluation and provision of online curriculum courses to school districts which includes the following: Creation of a general listing of the types of available online curriculum courses; a survey conducted by each regional educational technology support center of school districts in its region regarding the types of online curriculum courses desired by school districts; a process to evaluate and recommend to school districts the best online courses in terms of curriculum, student performance, and cost; and assistance to school districts in procuring and providing the courses to students.

(37) \$126,000 of the general fund--state appropriation for fiscal year 2008 and \$126,000 of the general fund--state appropriation for fiscal year 2009 are provided for the development and posting of web-based instructional tools, assessment data, and other information that assists schools and teachers implementing higher academic standards.

(38) \$333,000 of the general fund--state appropriation for fiscal year 2008 and \$333,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation of the center for the improvement of student learning pursuant to RCW 28A.300.130.

(39) \$12,400,000 of the education legacy trust account--state appropriation is provided solely for one-time allocations for technology upgrades and improvements. The funding shall be allocated based on \$3,000 for each elementary school, \$6,000 for each middle or junior high school, and \$11,000 for each high school. In cases where a particular school's grade span or configuration does not fall into these categories, the office of superintendent of public instruction will develop an allocation to that school that recognizes the unique characteristics but

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maintains the proportionate allocation identified in this subsection.

(40) \$250,000 of the education legacy trust account--state appropriation is provided solely for costs associated with office of the superintendent of public instruction establishing a statewide director of technology position pursuant to Second Substitute House Bill No. 1906 (improving mathematics and science education). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(41)(a) ~~(\$9,150,000)~~ \$9,747,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$12,447,000)~~ \$16,624,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$5,000 per teacher in fiscal year 2008 and adjusted for inflation in fiscal year 2009. Beginning in the 2007-2008 school year and thereafter, national board certified teachers who become public school principals shall continue to receive this bonus for as long as they are principals and maintain the national board certification;

(ii) During the 2007-2008 school year, for national board certified teachers who teach in schools where at least 70 percent of student headcount enrollment is eligible for the federal free or reduced price lunch program, an additional \$5,000 annual bonus to be paid in one lump sum. Beginning in the 2008-2009 school year and thereafter, an additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced price lunch; and

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (a)(ii) of this subsection for less than one full school year receive bonuses in a pro-rated manner.

(b) Included in the amounts provided in this subsection are amounts for mandatory fringe benefits. Unless Senate Bill No. 6657 (salary bonuses for individuals certified by the national board for professional teaching standards) is enacted by June 30, 2008, the annual bonus shall not be included in the definition of "earnable compensation" under RCW 41.32.010(10).

(c) For purposes of this subsection, "(schools where at least 70%) the percent of the student headcount enrollment (is) eligible for the federal free or reduced price lunch program" shall be defined as: (i) For the 2007-08 and the 2008-09 school years, schools in which the prior year percentage of students eligible for the federal free and reduced price lunch program ((was at least 70 percent)) meets the criteria specified in subsection (41)(a)(ii) of this section; and (ii) in the 2008-09 school year, any school that met the criterion in (c)(i) of this subsection in the 2007-08 school year.

(d) Within the amounts appropriated in this subsection, the office of superintendent of public instruction shall revise rules to allow teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching at the Washington school for the deaf or Washington school for the blind, to receive the annual bonus amounts specified in this subsection if they are otherwise eligible.

(42) \$2,750,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Second Substitute Senate Bill No. 6377 (career and technical education). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

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(43) \$4,000,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for an allocation of four dollars and nine cents per full-time equivalent student, or as much as the funding in this subsection will allow, to maintain and improve library materials, collections, and services. The funding provided in this subsection shall be used to augment current funding for librarian programs provided through basic education and other existing funding mechanisms. In order to receive allocations under this section, school districts must agree that to the maximum extent possible they will ensure that library programs and services are equitably provided throughout the district.

(44) \$600,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Second Substitute Senate Bill No. 6483 (local farms-healthy kids and communities). Of the amount provided in subsection, up to \$30,000 is provided for administrative costs associated with implementing the legislation and at least \$570,000 is provided for grants to school districts associated with implementing the legislation. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(45) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6673 (student learning opportunities) which requires the office of the superintendent of public instruction to explore online curriculum support in languages other than English. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(46) \$500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the summer programs for middle and high school students to explore career opportunities rich in math, science, and technology using career and technical education as the delivery model, pursuant to Second Substitute Senate Bill No. 6673 (student learning opportunities). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(47) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for grants to five skills centers to develop and plan for implementation of integrated English language development/career skills programs that pair English language development teachers with career/technical education instructors in the classroom. The office of the superintendent of public instruction and skill center staff shall work with the state board for community and technical colleges I-BEST program staff and local community and technical college program staff to develop the program to assure critical program elements are included and that the skill center programs provide a seamless transition for high school students to the community and technical college programs for students choosing that pathway. The request for proposal or grant application shall be issued no later than May 1, 2008, so that grant recipients can begin program planning and development efforts on July 1, 2008. The superintendent of public instruction shall provide the resulting implementation plans to the governor and the appropriate committees of the legislature by November 1, 2008.

(48) \$70,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to support the Chinese exchange program at the Peninsula school district. The funding shall support scholarships, educational programs, and travel costs for students facing financial obstacles to participation in the program.

(49) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to support public high schools' participation in the FIRST robotics program. The office of the superintendent of public instruction shall issue grants not to exceed \$10,000 per school to be used for teacher stipends, registration fees, equipment, and other costs associated with direct participation in the program. High-poverty schools and

schools starting up robotics programs shall be given priority in funding.

**Sec. 512.** 2007 c 522 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund--State Appropriation (FY 2008)	<del>(\$65,320,000)</del>
	\$65,595,000
General Fund--State Appropriation (FY 2009)	<del>(\$69,217,000)</del>
	\$69,560,000
General Fund--Federal Appropriation	\$45,243,000
TOTAL APPROPRIATION	<del>(\$179,780,000)</del>
	\$180,398,000

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

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

(2) The superintendent shall distribute a maximum of ~~(\$824.24)~~ \$824.12 per eligible bilingual student in the 2007-08 school year and ~~(\$840.25)~~ \$840.64 in the 2008-09 school year, exclusive of salary and benefit adjustments provided in section 504 of this act.

(3) The superintendent may withhold up to 1.5 percent of the school year allocations to school districts in subsection (2) of this section, and adjust the per eligible pupil rates in subsection (2) of this section accordingly, solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2).

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

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

(6) Pursuant to RCW 28A.150.260, during the 2007-09 biennium, the office of the superintendent of public instruction shall not make exit of the transitional bilingual program contingent on passing both the Washington language proficiency test and the Washington assessment of student learning without prior legislative approval.

**Sec. 513.** 2007 c 522 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund--State Appropriation (FY 2008)	<del>(\$70,792,000)</del>
	\$68,381,000
General Fund--State Appropriation (FY 2009)	<del>(\$73,156,000)</del>
	\$84,654,000
General Fund--Federal Appropriation	\$360,660,000
Education Legacy Trust Account--State	
Appropriation	45,953,000
TOTAL APPROPRIATION	<del>(\$550,561,000)</del>
	\$559,648,000

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

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

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

(b) Funding for school district learning assistance programs shall be allocated at maximum rates of ~~(\$220.37)~~ \$220.34 per funded student for the 2007-08 school year and ~~(\$224.73)~~



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\$265.08 per funded student for the 2008-09 school year exclusive of salary and benefit adjustments provided under section 504 of this act.

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

(i) The district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch in the prior school year; and

(ii) If, in the prior school year, the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch exceeded forty percent, subtract forty percent from the district's percentage and multiply the result by the district's K-12 annual average full-time equivalent enrollment for the prior school year.

(d) In addition to amounts allocated in (b) and (c) of this subsection, an additional amount shall be allocated to a school district for each school year in which the district's allocation is less than the amount the district received for the general fund--state learning assistance program allocation in the 2004-05 school year. The amount of the allocation in this section shall be sufficient to maintain the 2004-05 school year allocation.

(e) If Second Substitute Senate Bill No. 6673 (student learning opportunities) is enacted by June 30, 2008, in addition to the amounts allocated in (b), (c), and (d) of this subsection, an additional amount shall be allocated to school districts with high concentrations of poverty and English language learner students beginning in the 2008-2009 school year, subject to the following rules and conditions:

(i) To qualify for additional funding under this subsection, a district's October headcount enrollment in grades kindergarten through grade twelve must have at least twenty percent enrolled in the transitional bilingual instruction program based on an average of the program headcount taken in October and May of the prior school year; and must also have at least forty percent eligible for free or reduced price lunch based on October headcount enrollment in grades kindergarten through twelve in the prior school year.

(ii) Districts meeting the specifications in (e)(i) of this subsection shall receive additional funded students for the learning assistance program at the rates specified in subsection (1)(b) of this section. The number of additional funded student units shall be calculated by subtracting twenty percent from the district's percent transitional bilingual instruction program enrollment as defined in (e)(i) of this subsection, and the resulting percent shall be multiplied by the district's kindergarten through twelve annual average full-time equivalent enrollment for the prior school year.

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

(3) Small school districts are encouraged to make the most efficient use of the funding provided by using regional educational service district cooperatives to hire staff, provide professional development activities, and implement reading and mathematics programs consistent with research-based guidelines provided by the office of the superintendent of public instruction.

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

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

(6) \$15,065,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6673 (student learning opportunities) which establishes the extended learning program to provide additional instructional services for eligible students in grades eight, eleven, and twelve during the regular school day, evenings, on weekends, or at other times in order to meet the needs of these students. This funding is in addition to the estimated \$986,000 of associated compensation increases associated with this legislation in section 504 of this act. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

Sec. 514. 2007 c 522 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--PROMOTING ACADEMIC SUCCESS**

General Fund--State Appropriation (FY 2008)	<del>(\$23,820,000)</del>
	\$12,108,000
General Fund--State Appropriation (FY 2009)	<del>(\$25,177,000)</del>
	\$4,759,000
TOTAL APPROPRIATION .	<del>(\$48,997,000)</del>
	\$16,867,000

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

(1) ~~(The)~~ Except as provided in subsection (4) of this section, the amounts appropriated in this section are provided solely for remediation for students who have not met standard in one or more content areas of the Washington assessment of student learning in the spring of their tenth grade year or on a subsequent retake. The funds may be used for extended learning activities, including summer school, before and after school, Saturday classes, skill seminars, assessment preparation, and in-school or out-of-school tutoring. Extended learning activities may occur on the school campus, via the internet, or at other locations and times that meet student needs. Funds allocated under this section shall not be considered basic education funding. Amounts allocated under this section shall fund new extended learning opportunities, and shall not supplant funding for existing programs and services.

(2) School district allocations for promoting academic success programs shall be calculated as follows:

(a) Allocations shall be made to districts only for students actually served in a promoting academic success program.

(b) A portion of the district's annual student units shall be the number of content area assessments (reading, writing, and mathematics) on which eleventh and twelfth grade students were more than one standard error of measurement from meeting standard on the WASL in their most recent attempt to pass the WASL.

(c) The other portion of the district's annual student units shall be the number of content area assessments (reading, writing, and mathematics) on which eleventh and twelfth grade students were less than one standard error of measurement from meeting standard but did not meet standard on the WASL in their most recent attempt to pass the WASL.

(d) Districts with at least one but less than 20 student units combining the student units generated from (b) and (c) of this subsection shall be counted as having 20 student units for the purposes of the allocations in (e) and (f)(i) of this subsection.

(e) Allocations for certificated instructional staff salaries and benefits shall be determined using formula-generated staff units calculated pursuant to this subsection. Ninety-four hours of certificated instructional staff units are allocated per 13.0 student units as calculated under (a) of this subsection and thirty-four hours of certificated instructional staff units are allocated per 13.0 student units as calculated under (b) of this subsection. Allocations for salaries and benefits for the staff units calculated under this subsection shall be calculated in the same manner as provided under section 503 of this act. Salary

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and benefit increase funding for staff units generated under this section is included in section 504 of this act.

(f) The following additional allocations are provided per student unit, as calculated in (a) and (b) of this subsection:

(i) \$12.80 in school year 2007-08 (~~and \$13.07 in school year 2008-09~~) for maintenance, operations, and transportation;

(ii) \$12.29 in school year 2007-08 (~~and \$12.55 in school year 2008-09~~) for pre- and post-remediation assessments;

(iii) \$17.41 in school year 2007-08 (~~and \$17.77 in school year 2008-09~~) per reading remediation student unit;

(iv) \$8.19 in school year 2007-08 (~~and \$8.36 in school year 2008-09~~) per mathematics remediation student unit; and

(v) \$8.19 in school year 2007-08 (~~and \$8.36 in school year 2008-09~~) per writing remediation student unit.

(f) The superintendent of public instruction shall distribute school year allocations according to the monthly apportionment schedule defined in RCW 28A.510.250.

(3) By November 15th of each year, the office of the superintendent of public instruction shall report to the appropriate committees of the legislature and to the office of financial management on the use of these funds in the prior school year, including the types of assistance selected by students, the number of students receiving each type of assistance, and the impact on WASL test scores. The office of the superintendent for public instruction shall complete its review and make adjustments to district reporting procedures to ensure consistency of reporting categories and minimize district administrative workload.

(4) School districts may carry over from one year to the next up to 20 percent of funds allocated under this program (~~however~~). Carryover funds shall be expended for (~~promoting academic success programs~~) extended learning activities as described in subsection (1) of this section. Carryover funds may be expended for students eligible for the promoting academic success program as described in subsection (1) of this section or for ninth and tenth grade students determined to be at risk of not passing one or more content areas of the WASL based on eighth grade assessment scores.

(5) After the 2007-2008 school year, funding for the promoting academic success program is discontinued.

**Sec. 515.** 2007 c 522 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT PROGRAM**

Student Achievement Account--State Appropriation	
(FY 2008).....	(\$423,414,000)
	\$423,369,000
Student Achievement Account--State Appropriation	
(FY 2009).....	(\$446,357,000)
	\$444,970,000
<b>TOTAL APPROPRIATION</b>	<b>(\$869,771,000)</b>
	\$868,339,000

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

(1) Funding for school district student achievement programs shall be allocated at a maximum rate of \$450.00 per FTE student for the 2007- 08 school year and (~~(\$459.45))~~ \$458.10 per FTE student for the 2008-09 school year. For the purposes of this section, FTE student refers to the annual average full-time equivalent enrollment of the school district in grades kindergarten through twelve for the prior school year, as reported to the office of the superintendent of public instruction by August 31st of the previous school year.

(2) The appropriation is allocated for the following uses as specified in RCW 28A.505.210:

(a) To reduce class size by hiring certificated elementary classroom teachers in grades K-4 and paying nonemployee-related costs associated with those new teachers;

(b) To make selected reductions in class size in grades 5-12, such as small high school writing classes;

(c) To provide extended learning opportunities to improve student academic achievement in grades K-12, including, but not limited to, extended school year, extended school day, before-and-after-school programs, special tutoring programs, weekend school programs, summer school, and all-day kindergarten;

(d) To provide additional professional development for educators including additional paid time for curriculum and lesson redesign and alignment, training to ensure that instruction is aligned with state standards and student needs, reimbursement for higher education costs related to enhancing teaching skills and knowledge, and mentoring programs to match teachers with skilled, master teachers. The funding shall not be used for salary increases or additional compensation for existing teaching duties, but may be used for extended year and extended day teaching contracts;

(e) To provide early assistance for children who need prekindergarten support in order to be successful in school; or

(f) To provide improvements or additions to school building facilities which are directly related to the class size reductions and extended learning opportunities under (a) through (c) of this subsection (2).

(3) The superintendent of public instruction shall distribute the school year allocation according to the monthly apportionment schedule defined in RCW 28A.510.250.

**Sec. 516.** 2007 c 522 s 519 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** (1) Appropriations made in this act to the office of superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as expressly provided in subsection (2) of this section.

(2) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2008, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2008 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; and learning assistance programs.

(3) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**NEW SECTION. Sec. 517.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION--PENSION CONTRIBUTIONS RATES FOR NATIONAL BOARD CERTIFICATION.** \$2,144,000 of the general fund--state appropriations for fiscal year 2009 in part V of this act are provided solely for the implementation of Senate Bill No. 6657 (salary bonuses for individuals certified by the national board for professional teaching standards). If the bill is not enacted by June 30, 2008, the amounts provided in part V of this act for this purpose shall lapse and the office of superintendent of public instruction, in consultation with the office of financial management and the office of state actuary, shall adjust the appropriate formula allocation factors and rates in part V of this act to reflect the adjusted employer pension contribution rates for the teachers' retirement system. The office of superintendent of public

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instruction shall notify school districts of any rate adjustments and formula allocation changes under this section as soon as possible, but no later than July 1, 2008.

(End of part)

## PART VI HIGHER EDUCATION

**Sec. 601.** 2007 c 522 s 601 (uncodified) is amended to read as follows:

The appropriations in sections 603 through 609 of this act, and sections 605 through 611 of this 2008 act, are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 603 through 609 of this act and sections 605 through 611 of this 2008 act.

(2)(a) The salary increases provided or referenced in this subsection and described in section 603 and part IX of this act and section 605 of this 2008 act shall be the only allowable salary increases provided at institutions of higher education, excluding increases associated with normally occurring promotions and increases related to faculty and professional staff retention, and excluding increases associated with employees under the jurisdiction of chapter 41.56 RCW.

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

(c) Each institution of higher education receiving appropriations for salary increases under sections 604 through 609 of this act, and sections 605 through 611 of this 2008 act may provide additional salary increases from other sources to instructional and research faculty, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under ~~(RCW 28B.16.015)~~ chapter 41.80 RCW. Any additional salary increase granted under the authority of this subsection (2)(c) shall not be included in an institution's salary base for future state funding. It is the intent of the legislature that general fund--state support for an institution shall not increase during the current or any future biennium as a result of any salary increases authorized under this subsection (2)(c).

(d) 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.

(e) By January 1, 2008, the office of financial management shall work with the institutions of higher education, and with staff from the legislative fiscal committees and the legislative evaluation and accountability program, to identify ways in which the office's "compensation impact model" should be revised or replaced to make the system less costly for institutions to maintain, and more transparent, informative, and useful to the legislature and institutions, while providing information needed to accurately and efficiently negotiate and budget employee compensation changes.

(3) The technical colleges may increase tuition and fees in excess of the fiscal growth factor to conform with the percentage increase in community college operating fees.

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(4) The tuition fees, as defined in chapter 28B.15 RCW, charged to full-time students at the state's institutions of higher education for the 2007-08 and 2008-09 academic years, other than the summer term, shall be adjusted by the governing boards of the state universities, regional universities, The Evergreen State College, and the state board for community and technical colleges. Tuition fees may be increased in excess of the fiscal growth factor under RCW 43.135.055.

For the 2007-08 academic year, the governing boards of the research universities may implement an increase no greater than seven percent over tuition fees charged to full-time resident undergraduate students for the 2006-07 academic year. The regional universities and The Evergreen State College may implement an increase no greater than five percent over tuition fees charged to full-time resident undergraduate students for the 2006-07 academic year. The state board for community and technical colleges may implement an increase no greater than an average of two percent over tuition and fees charged to ~~(full-time)~~ resident students for the 2006-07 academic year. The board may increase tuition and fees differentially according to quarterly credit hour load, provided the overall increase in average tuition revenue per resident student does not exceed 2.0 percent.

~~((For the 2008-09 academic year, the governing boards of the research universities may implement an increase no greater than seven percent over tuition fees charged to full-time resident undergraduate students for the 2007-08 academic year. The regional universities and The Evergreen State College may implement an increase no greater than five percent over tuition fees charged to full-time resident undergraduate students for the 2007-08 academic year. The state board for community and technical colleges may implement an increase no greater than two percent over tuition and fees charged to full-time resident students for the 2007-08 academic year.))~~

In addition to the tuition authorization provided under this subsection and section 603 of this act, amounts appropriated in this budget provide an amount approximately equal to a one percent tuition increase per academic year for the state board for community and technical colleges.

(5) For the 2007-09 biennium, the governing boards and the state board may adjust full-time operating fees for factors that may include time of day and day of week, as well as delivery method and campus, to encourage full use of the state's educational facilities and resources.

(6) Technical colleges may increase their building fee in excess of the fiscal growth factor until parity is reached with the community colleges.

(7) 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.

(8) Pursuant to RCW 43.135.055, institutions of higher education receiving appropriations under sections 603 through 609 of this act, and under sections 605 through 611 of this 2008 act, are authorized to increase summer term tuition in excess of the fiscal growth factor during the 2007-09 biennium. Tuition levels increased pursuant to this subsection shall not exceed the per credit hour rate calculated from the academic year tuition levels adopted under this act.

(9) Pursuant to RCW 43.135.055, community and technical colleges are authorized to increase services and activities fee charges in excess of the fiscal growth factor during the 2007-09 biennium. The services and activities fee charges increased pursuant to this subsection shall not exceed the maximum level authorized by the state board for community and technical colleges.

(10) From within the appropriations in sections 603 through 609 of this act, and in sections 605 through 611 of this 2008 act,

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institutions of higher education shall increase compensation for nonrepresented employees in accordance with the following:

(a) Across the Board Adjustments.

(i) Appropriations are provided for a 3.2 percent salary increase effective September 1, 2007, for all classified employees, except those represented by a collective bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except the certificated employees of the state schools for the deaf and blind and employees of community and technical colleges covered by the provisions of Initiative Measure No. 732. Also included are employees in the Washington management service, and exempt employees under the jurisdiction of the director of personnel.

(ii) Appropriations are provided for a 2.0 percent salary increase effective September 1, 2008, for all classified employees, except those represented by a collective bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except for the certificated employees of the state schools of the deaf and blind and employees of community and technical colleges covered by the provisions of Initiative Measure No. 732. Also included are employees in the Washington management service, and exempt employees under the jurisdiction of the director of personnel.

(iii) No salary increase may be paid under this subsection to any person whose salary has been Y-rated pursuant to rules adopted by the director of personnel.

(b) Salary Survey.

For state employees, except those represented by a bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for implementation of the department of personnel's 2006 salary survey, for job classes more than 25 percent below market rates and affected classes.

(c) Classification Consolidation.

For state employees, except those represented by a bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for implementation of the department of personnel's phase 4 job class consolidation and revisions under chapter 41.80 RCW.

(d) Agency Request Consolidation.

For state employees, except those represented by a bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for implementation of the department of personnel's agency request job class consolidation and reclassification plan. This implementation fully satisfies the conditions specified in the settlement agreement of *WPEA v State/Shroll v State*.

(e) Additional Pay Step.

For state employees, except those represented by a bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for a new pay step L for those who have been in step K for at least one year.

(f) Retain Fiscal Year 2007 Pay Increase.

For all classified state employees, except those represented by a bargaining unit under chapter 41.80, 41.56, and 47.64 RCW, and except for the certificated employees of the state schools of the deaf and blind and employees of community and technical colleges covered by the provisions of Initiative Measure No. 732, funding is provided for continuation of the 1.6 percent salary increase that was provided during fiscal year 2007. Also included are employees in the Washington management service, and exempt employees under the jurisdiction of the director of personnel.

(g) The appropriations are also sufficient for the research and the regional higher education institutions to (i) continue the 1.6 percent salary increase that was provided during fiscal year 2007; and (ii) provide average salary increases of 3.2 percent effective September 1, 2007, and of 2.0 percent effective September 1, 2008, for faculty, exempt administrative and professional staff, graduate assistants, and for all other nonclassified employees.

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(11) The appropriations in sections 605 through 611 of this act include specific funds to implement Substitute Senate Bill No. 6328 (campus safety).

NEW SECTION. Sec. 602. A new section is added to 2007 c 522 (uncodified) to read as follows:

**PUBLIC BACCALAUREATE INSTITUTIONS.** The tuition fees, as defined in RCW 28B.15.020, charged to students at the state's institutions of higher education may be adjusted by the governing boards of the state universities, regional universities, and The Evergreen State College for the 2007-08 and 2008-09 academic years, including summer sessions, subject to the limitations set forth in this section.

Additionally, the fees charged students at the institutions of higher education for enrollment in self-supporting degree programs including summer school, authorized by RCW 28B.15.031, and all other fees authorized by RCW 28B.15.031, may be adjusted by the governing boards of the state universities, regional universities, and The Evergreen State College for the 2007-08 and 2008-09 academic years, subject to the limitations set forth as follows:

(1) For the 2008-09 academic year, the governing boards of the research universities may implement an increase no greater than seven percent over tuition fees charged to resident undergraduate students for the 2007-08 academic year. The regional universities and The Evergreen State College may implement an increase no greater than five percent over tuition fees charged to resident undergraduate students for the 2007-08 academic year.

(2) For the 2008-09 academic year, each of the governing boards of the public four-year institutions is authorized to raise nonresident undergraduate and resident and nonresident graduate and professional tuition pursuant to RCW 28B.15.067.

(3) For the 2008-09 academic year, each of the governing boards of the public four-year institutions is authorized to raise summer quarter or semester enrollment fees for resident and nonresident undergraduate, graduate, and professional students pursuant to RCW 28B.15.067.

(4) For the 2008-09 academic year, each of the governing boards of the public four-year institutions is authorized to increase fees for fee-based degree programs; fee-based credit courses; fee-based noncredit workshops and courses; and fee-based special contract courses.

(5) For the 2008-09 academic year, each of the governing boards of the public four-year institutions is authorized to increase services and activities fees for all categories of students by the amounts authorized in RCW 28B.15.069.

(6) For the 2008-09 academic year, each of the governing boards of the public four-year institutions is authorized to adopt or increase technology fees as provided in RCW 28B.15.051.

(7) For the 2008-09 academic year each of the governing boards of the public four-year institutions may adopt or increase all other fees included in RCW 28B.15.031.

NEW SECTION. Sec. 603. A new section is added to 2007 c 522 (uncodified) to read as follows:

**STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES.** (1) For the 2008-09 academic year, the state board for community and technical colleges may increase tuition and fees by no more than two percent over tuition and fees charged to resident and nonresident students for the 2007-08 academic year. For the 2007-2009 biennium, the state board for community and technical colleges may increase tuition fees under this subsection differentially based on student credit hour load at their discretion, provided that the overall increase in average tuition revenue per student does not exceed two percent.

(2) The state board for community and technical colleges may increase tuition and fees by no more than five percent over tuition and fees charged for upper division courses in applied baccalaureate programs in the 2007-08 academic year.

(3) For the 2008-09 academic year, the technical colleges may increase operating fees by no more than two percent over

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operating fees charged to full-time resident and nonresident students for the 2007-08 academic year, to conform with the percentage increase in community college operating fees.

(4) For the 2008-09 academic year, technical colleges may increase their building fee by three cents per clock hour and by forty-five cents per credit hour. The purpose of these fee increases is to progress towards parity with the community colleges.

(5) The state board for community and technical colleges may increase the maximum allowable services and activities fee up to two percent in the 2008-09 academic year. Pursuant to RCW 43.135.055, community and technical colleges are authorized to increase services and activities fee charges up to the maximum level authorized by the state board for community and technical colleges.

(6) During fiscal years 2008 and 2009, the community and technical colleges may increase fees as follows:

(a) Administrative fees (FY 2008 and FY 2009), up to 5.57% per fiscal year;

(b) Application fees (FY 2008 and FY 2009), up to 5.57% per fiscal year;

(c) Graduation fees (FY 2008 and FY 2009), up to 5.57% per fiscal year;

(d) Lab and class fees (FY 2008 and FY 2009), up to 5.57% per fiscal year;

(e) Testing fees (FY 2008 and FY 2009), up to 5.57% per fiscal year;

(f) Transcript fees (FY 2008 and FY 2009), up to 5.57% per fiscal year;

(g) 2-D and 3-D design lab fee (FY 2009), community and technical colleges may establish a new fee of up to \$20;

(h) Student health insurance fee (FY 2009), community and technical colleges may establish a new fee of up to \$25;

(i) Arts field trip fee (FY 2008), community and technical colleges may establish a new fee of up to \$10;

(j) Computer lab fee (FY 2009), community and technical colleges may establish a new fee of up to \$45;

(k) Credit for prior experiential learning (FY 2009), community and technical colleges may establish a new fee of up to \$40;

(l) Early childhood education practicum fee (FY 2009), community and technical colleges may establish a new fee of up to \$25;

(m) Electronic lab fee (FY 2009), community and technical colleges may establish a new fee of up to \$95;

(n) E-portfolio fee (FY 2009), community and technical colleges may establish a new fee of up to \$35;

(o) Fire science lab fee (FY 2009), community and technical colleges may establish a new fee of up to \$21.20;

(p) LPN test (FY 2009), community and technical colleges may establish a new fee of up to \$327;

(q) Mac studio (FY 2009), community and technical colleges may establish a new fee of up to \$66.50;

(r) Materials fee A (FY 2009), community and technical colleges may establish a new fee of up to \$25;

(s) Materials fee B (FY 2009), community and technical colleges may establish a new fee of up to \$50;

(t) Materials fee C (FY 2009), community and technical colleges may establish a new fee of up to \$75;

(u) Materials fee D (FY 2009), community and technical colleges may establish a new fee of up to \$100;

(v) Math course fee (FY 2009), community and technical colleges may establish a new fee of up to \$10;

(w) Media production fee (FY 2009), community and technical colleges may establish a new fee of up to \$30;

(x) Patient care tech fee (FY 2009), community and technical colleges may establish a new fee of up to \$66.10;

(y) Payment plan fee (FY 2009), community and technical colleges may establish a new fee of up to \$25;

(z) Photography deposit (FY 2009), community and technical colleges may establish a new fee of up to \$150;

(aa) Printing fee A (FY 2009), community and technical colleges may establish a new fee of up to \$20;

(bb) Printing fee B (FY 2009), community and technical colleges may establish a new fee of up to \$40;

(cc) Printing fee C (FY 2009), community and technical colleges may establish a new fee of up to \$60;

(dd) Printing fee D (FY 2009), community and technical colleges may establish a new fee of up to \$80;

(ee) Respiratory care data ARC fee (FY 2009), community and technical colleges may establish a new fee of up to \$60;

(ff) Respiratory care testing fee (FY 2009), community and technical colleges may establish a new fee of up to \$40;

(gg) RN test (FY 2009), community and technical colleges may establish a new fee of up to \$360;

(hh) Selective admission fee (FY 2009), community and technical colleges may establish a new fee of up to \$40;

(ii) Surgical tech preassessment (FY 2008), community and technical colleges may establish a new fee of up to \$35;

(jj) Survey course fee (FY 2009), community and technical colleges may establish a new fee of up to \$25;

(kk) University center test proctor fee (FY 2009), community and technical colleges may establish a new fee of up to \$25;

(ll) College level examination program (FY 2008 and FY 2009), community and technical colleges may establish a new fee of up to \$25;

(mm) Course management software (FY 2009), community and technical colleges may establish a new fee of up to \$1.00.

**Sec. 604.** 2007 c 522 s 602 (uncodified) is amended to read as follows:

(1) The appropriations in sections 603 through 609 of this act, and sections 605 through 611 of this 2008 act, provide state support for full-time equivalent student enrollments at each institution of higher education. Listed below are the annual full-time equivalent student enrollments by institutions assumed in this act.

	2007-08 Annual Average	2008-09 Annual Average
	33,782	34,197
	1,760	1,980
	2,109	2,349
	19,112	19,272
	800	865
	1,888	2,113
	8,952	9,322
	8,996	9,184
	4,165	4,213
	12,022	12,175
	<del>(136,022)</del>	<del>(138,977)</del>
	<u>136,102</u>	<u>139,237</u>

(2) For the state universities, the number of full-time equivalent student enrollments enumerated in this section for the Bothell, Tacoma, Tri-Cities, and Vancouver campuses are the

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minimum levels at which the universities should seek to enroll students for those campuses. At the start of an academic year, the governing board of a state university may transfer full-time equivalent student enrollments among campuses. Intent notice shall be provided to the office of financial management and reassignment of funded enrollment is contingent upon satisfying data needed by the forecast division for tracking and monitoring state-supported college enrollment.

**Sec. 605.** 2007 c 522 s 603 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008)	<del>(\$638,521,000)</del>
	\$617,805,000
General Fund--State Appropriation (FY 2009)	<del>(\$654,446,000)</del>
	\$665,052,000
Education Legacy Trust Account--State	
Appropriation	\$105,432,000
Pension Funding Stabilization Account	
Appropriation	\$49,800,000
Administrative Contingencies Account--State	
Appropriation	\$2,950,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$1,448,199,000)</b></del>
	<b>\$1,441,039,000</b>

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

(1) \$5,040,000 of the education legacy trust account--state appropriation and \$10,920,000 of the general fund--state appropriation for fiscal year 2009 are to expand general enrollments by 900 student FTEs in academic year 2008 and by an additional 1,050 student FTEs in academic year 2009.

(2) \$5,720,000 of the education legacy trust account--state appropriation and \$11,440,000 of the general fund--state appropriation for fiscal year 2009 are to expand high-demand enrollments by 650 student FTEs in fiscal year 2008 and by an additional 650 student FTEs in fiscal year 2009. The programs expanded shall include, but are not limited to, mathematics and health sciences. The state board shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in high-demand enrollment programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$1,960,000 of the education legacy trust account--state appropriation is to expand early childhood education programs with a focus on early math and science awareness by 100 student FTEs in fiscal year 2008 and by an additional 150 student FTEs in 2009. The board shall provide data to the office of financial management regarding math and science enrollments, graduations, and employment of college graduates related to state investments in math and science programs. Data may be provided through the centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(4) \$28,761,000 of the general fund--state appropriation for fiscal year 2008 and \$28,761,000 of the general fund--state appropriation for fiscal year 2009 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support up to 6,200 full-time equivalent students in each fiscal year.

(5) \$3,813,000 of the education legacy trust account--state appropriation and \$7,625,000 of the general fund--state appropriation for fiscal year 2009 are for basic skills education enrollments at community and technical colleges. Budgeted enrollment levels shall increase by 625 student FTEs each year.

(6) \$3,750,000 of the general fund--state appropriation for fiscal year 2008 and \$7,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to increase salaries and related benefits for part-time faculty. It is intended that part-time faculty salaries will increase relative to full-time faculty salaries after all salary increases are collectively bargained.

(7) \$7,350,000 of the education legacy trust account appropriation is to increase enrollment levels in the integrated basic education, skills, and language program (I-BEST) by 250 student FTEs per year. Each student participating on a full-time basis is budgeted and shall be reported as a single FTE for purposes of this expansion.

(8) \$375,000 of the general fund--state appropriation for fiscal year 2008 and \$375,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the transitions math project. This phase of work shall include the establishment of a single math placement test to be used at colleges and universities statewide.

(9) \$2,835,000 of the education legacy trust account appropriation is to increase enrollment in apprenticeship training programs by 150 student FTEs in each fiscal year.

(10) \$4,000,000 of the education legacy trust account--state appropriation is provided solely to expand the number of TRIO eligible students served in the community and technical college system by 1,700 students each year. TRIO eligible students include low-income, first-generation, and college students with disabilities. The state board for community and technical colleges shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through this appropriation. Retention rates shall continue to exceed 65 percent for TRIO students and other low-income and first-generation students served through this appropriation.

(11)(a) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures and targets in 2006. By July 31, 2007, the state board for community and technical colleges and the higher education coordinating board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight global challenge states identified in the Washington Learns study.

(b) The targets previously agreed by the state board and the higher education coordinating board are enumerated as follows:

(i) Increase the percentage and number of academic students who are eligible to transfer to baccalaureate institutions to 18,700;

(ii) Increase the percentage and number of students prepared for work to 23,490; and

(iii) Increase the percentage and number of basic skills students who demonstrate substantive skill gain by 22,850.

The state board for community and technical colleges shall report their progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(12) \$452,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for start-up and planning funds for two applied baccalaureate degree programs at community and technical colleges, of which one degree program must be at a technical college. The applied baccalaureate degrees shall be specifically designed for individuals who hold associate of applied science degrees, or equivalent, in order to maximize application of their technical course credits toward the applied baccalaureate degree.

(13) \$2,502,000 of the general fund--state appropriation for fiscal year 2008 and \$5,024,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for faculty salary increments and associated benefits and may be used in

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combination with salary and benefit savings from faculty turnover to provide salary increments and associated benefits for faculty who qualify through professional development and training. To the extent general salary increase funding is used to pay faculty increments, the general salary increase shall be reduced by the same amount. The state board shall determine the method of allocating to the community and technical colleges the appropriations granted for academic employee increments, provided that the amount of the appropriation attributable to the proportionate share of the part-time faculty salary base shall only be accessible for part-time faculty.

(14) \$50,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$50,000)~~ \$550,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for higher education student child care matching grants under chapter 28B.135 RCW.

(15) \$2,725,000 of the general fund--state appropriation for fiscal year 2008 and \$2,725,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(16) \$504,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for 80 student FTEs in the existing four applied baccalaureate degree programs at community and technical colleges as authorized in chapter 28B.50 RCW.

(17) \$4,000,000 of the general fund--state appropriation for fiscal year 2008, \$4,000,000 of the general fund--state appropriation for fiscal year 2009, and \$15,000,000 of the education legacy trust account--state appropriation are provided solely for implementation of Second Substitute House Bill No. 1096 (postsecondary opportunities). The state board shall seek additional private sector involvement and support for the opportunity grants program. If the bill is not enacted by June 30, 2007, the education legacy trust account--state appropriation shall lapse. Remaining amounts in this subsection shall be used for an opportunity grant program to provide grants covering community and technical college tuition and fees for up to 45 credits and books or other materials to be awarded to eligible students. Program participants will earn credentials or certificates in industry-defined occupations with a need for skilled employees.

(18) From within the funds appropriated in this section, community and technical colleges shall increase salaries for employees subject to the provisions of Initiative Measure No. 732 by an average of 3.7 percent effective July 1, 2007, and by an average of ~~(2.8)~~ 3.9 percent effective July 1, 2008.

(19) \$1,717,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for increasing salaries for employees who are subject to the provisions of Initiative Measure No. 732 by an average of one-half of one percent effective July 1, 2008.

(20) From within the funds appropriated in this section, community and technical colleges shall increase salaries for exempt professional staff by an average of 3.2 percent effective September 1, 2007, and by an average of 2.0 percent effective September 1, 2008.

(21) \$1,500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for competitive grants to labor, management, and college partnerships to develop or expand and evaluate innovative training programs for incumbent hospital workers that lead to careers in nursing and other high-demand health care fields. The board shall report to appropriate policy and fiscal committees of the legislature by November 1, 2008, on the initial implementation of the program, including

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components of the program created, the program sites, and program enrollments including student background and early progress. By November 2009, the board shall provide a follow up report that additionally includes information on student progress and outcomes.

(22) \$75,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the gateway center pilot project at Highline community college for coaching and managing student participants in the pilot program. The coach will be responsible for credentials interpretation, evaluating prior learning experience, ensuring licensure guidance, providing academic advising and translation services, and helping establish employer relationships.

(23) \$115,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the state board to (a) convene a one-day summit to inform the public, adult literacy instructional personnel, and local, state, and community leaders about the status of adult literacy and adult literacy education; and (b) conduct a media campaign to increase public awareness about the availability of adult, family, and workforce literacy services and resources.

(24) \$750,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to support online library resources throughout the community and technical college system. Funds shall be used to purchase licenses for specialized periodicals, journals, and books and to increase student access to library materials.

(25) \$3,000,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the design, development, training, and related expenses associated with a joint labor/management apprenticeship program established under the auspices of an international union representing aerospace workers, which will include but not be limited to training in composite technology. Of this amount, \$2,150,000 may be used for program development, curriculum development and equipment, training, and related expenses; and \$850,000 shall be used to support 130 enrollment slots at no more than three community and technical colleges with at least one college being located east of the Cascade mountains, for related supplemental instruction and related expenses. The state board for community and technical colleges shall select the colleges using a joint selection process between the state board and the joint labor/management apprenticeship program.

(26) \$1,178,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to Edmonds community college for operating expenses related to leasing the employment resource center.

(27) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Renton technical college to implement workplace-based instructional programs that will enable low-wage working immigrants to improve their English language and work-related skills.

(28) \$500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to convert classes taught by faculty employed in part-time positions to classes taught by faculty employed in full-time, tenure-track positions. Particular emphasis shall be placed upon increasing the number of full-time faculty in the departments of mathematics, science, adult basic education, early childhood education, and English. The state board shall determine the distribution of these funds among the colleges in consultation with representatives of faculty unions.

(29) The appropriations in this section include specific funding to implement Substitute Senate Bill No. 5104 (applied baccalaureate degrees).

**Sec. 606.** 2007 c 522 s 604 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund--State Appropriation (FY 2008) (~~(\$373,680,000)~~)

	\$373,726,000
General Fund--State Appropriation (FY 2009)	( <del>\$390,058,000</del> )
	<u>\$375,998,000</u>
General Fund--Private/Local Appropriation . . . . .	\$300,000
Education Legacy Trust Account--State	
Appropriation . . . . .	\$43,181,000
Accident Account--State Appropriation . . . . .	( <del>\$6,621,000</del> )
	<u>\$6,513,000</u>
Medical Aid Account--State Appropriation . . . . .	( <del>\$6,448,000</del> )
	<u>\$6,371,000</u>
TOTAL APPROPRIATION	( <del>\$820,288,000</del> )
	<u>\$806,089,000</u>

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

(1) \$15,744,000 of the education legacy trust account--state appropriation is to expand general enrollments by 625 student FTEs in fiscal year 2008 and by an additional 625 student FTEs in fiscal year 2009. Of these, 165 FTEs in 2008 and 165 FTEs in 2009 are expected to be graduate student FTEs.

(2) \$6,975,000 of the education legacy trust account--state appropriation is to expand math and science undergraduate enrollments by 250 student FTEs in each fiscal year. The programs expanded shall include mathematics, engineering, and the physical sciences. The university shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in math and science programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$85,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operating support of the Washington state academy of sciences, authorized by chapter 70.220 RCW.

(4) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operating support of the William D. Ruckelshaus center.

(5) \$500,000 of the education legacy trust account--state appropriation is provided solely to expand the number of TRIO eligible students served in the student support services program at the University of Washington by 250 students each year. TRIO students include low-income, first-generation, and college students with disabilities. The student support services program shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through this appropriation. Retention rates shall continue to exceed 85 percent for TRIO students in this program.

(6) \$84,000 of the general fund--state appropriation for fiscal year 2008 and \$84,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to establish the state climatologist position.

(7) \$25,000 of the general fund--state appropriation for fiscal year 2008 (~~is~~) and \$125,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the William D. Ruckelshaus center to identify and carry out, or otherwise appropriately support, a process to identify issues that have led to conflict around land use requirements and property rights, and explore practical and effective ways to resolve or reduce that conflict. A report with conclusions and recommendations shall be submitted to the governor and the chairs of the appropriate committees of the legislature by October 31, 2007. Work will continue after the submission of the initial report, to include continuing research and the development of financial and policy options and a progress report on fact finding efforts and stakeholder positions due December 1, 2008.

(8) \$3,830,000 of the education legacy trust account--state appropriation is provided solely to expand health sciences capacity at the University of Washington. Consistent with the medical and dental school extension program appropriations at Washington State University and Eastern Washington University, funding is provided to expand classes at the University of Washington. Medical and dental students shall take the first year of courses for this program at the Riverpoint campus in Spokane and the second year of courses at the University of Washington in Seattle.

(9) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures, checkpoints, and targets in 2006. By July 31, 2007, the university and the board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight global challenge states identified in the Washington Learns study.

The checkpoints previously agreed by the board and the University of Washington are enumerated as follows:

(a) Increase the combined number of baccalaureate degrees conferred per year at all campuses to 8,850;

(b) Increase the combined number of high-demand baccalaureate degrees conferred at all campuses per year to 1,380;

(c) Increase the combined number of advanced degrees conferred per year at all campuses to 3,610;

(d) Improve the six-year graduation rate for baccalaureate students to 74.7 percent;

(e) Improve the three-year graduation rate for students who transfer with an associates degree to 76.0 percent;

(f) Improve the freshman retention rate to 93.0 percent;

(g) Improve time to degree for baccalaureate students to 92 percent at the Seattle campus and 92.5 percent at the Bothell and Tacoma campuses, measured by the percent of admitted students who graduate within 125 percent of the credits required for a degree; and

(h) The institution shall provide a report on Pell grant recipients' performance within each of the measures included in this subsection.

The University of Washington shall report its progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(10) \$750,000 of the education legacy trust account appropriation is provided solely to increase participation in international learning opportunities, particularly for students with lower incomes who would otherwise not have the chance to study, work, or volunteer outside the United States.

(11) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for forestry research by the Olympic natural resources center.

(12) \$25,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for coastal marine research by the Olympic natural resources center.

(13) \$95,000 of the general fund--state appropriation for fiscal year 2008 and \$30,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for increased education, training, and support services for the families of children with autism, and for the production and distribution of digital video discs in both English and Spanish about strategies for working with people with autism.

(14) \$2,900,000 of the general fund--state appropriation for fiscal year 2008 and \$3,400,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operating support for the department of global health.

(15) In an effort to introduce students to and inform students of post-secondary opportunities in Washington state, by October



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1st of each year the university shall report to the higher education coordinating board progress towards developing and implementing outreach programs designed to increase awareness of higher education to K-12 populations.

(16) \$150,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the rural technology initiative (initiative) at the University of Washington and the transportation research group (group) at the Washington State University to conduct an economic analysis of the costs to safely provide log hauling services. The initiative will be the lead investigator and administer the project. Neither the University of Washington nor the Washington State University may make a deduction for administrative costs. The project shall rely upon the Washington state patrol for determination of basic safe characteristics, consistent with applicable state and federal law. The analysis shall include:

(a) An estimate of log haulers' cost to operate and maintain a basic and safe log truck without operator including:

(i) Variable costs such as fuel, etc;

(ii) Quasi-variable costs such as:

(A) Tires, brakes, wrappers, and other safety related equipment;

(B) Vehicle insurance, taxes, fees, etc;

(C) Maintenance costs such as oil, lubrication, and minor repairs; and

(D) Depreciation and replacement costs;

(b) The source of these cost estimates where possible should be independent vendors of equipment and services or already existing studies;

(c) A calculation of costs for safe operation expressed as per mile, hour or load volume including consideration for regional differences as well as off-road vs. on-road;

(d) An evaluation of comparable trucking services; and

(e) A review of log truck safety statistics in Washington state.

In conducting the analysis, the initiative shall consult with the northwest log truckers cooperative, the Washington trucking association, the Washington contract loggers association, the Washington farm forestry association, and the Washington forest protection association. By June 30, 2008, the initiative shall provide a report of its findings to the legislature and governor and distribute the findings to interested industry groups.

(17) \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the Burke museum to support science and social science educational programs including public outreach programs, new educational programs and resources, web-based interactive learning experiences, teacher training, and traveling educational opportunities.

(18) \$150,000 of the general fund--state appropriation for fiscal year 2008 and ~~(\$150,000)~~ \$300,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to the institute for learning and brain sciences.

(19) \$30,000 of the general fund--state appropriation for fiscal year 2008 and \$30,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the University of Washington to gather data and conduct research associated with preparing the basin-wide assessment and to solicit nominations for review and submittal to the Washington academy of sciences for the creation of the Puget Sound science panel pursuant to Engrossed Second Substitute Senate Bill No. 5372 (Puget Sound partnership).

(20)(a) \$500,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the University of Washington school of law loan repayment assistance program endowment fund. The University of Washington shall conduct fund-raising activities to increase private sector support of the endowment program and \$250,000 of the appropriation in this subsection is contingent on a private sector match. Funds in the

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law school repayment assistance program endowment fund shall be used to provide graduates who pursue careers in public interest legal positions with payment assistance toward their student loan debt.

(b) The University of Washington law school shall report to the legislature by December 1, 2010, information about the loan repayment assistance program. The report shall contain at least the following information:

(i) A financial summary of the endowment program;

(ii) The number of individuals receiving assistance from the program and information related to the positions in which these individuals are working;

(iii) Any available information regarding the effect of the loan repayment assistance program on student recruitment and enrollment; and

(iv) Other information the school of law deems relevant to the evaluation of the program.

(c) In its rules for administering the program, the school of law must make provision for cases of hardship or exceptional circumstances, as defined by the school of law. Examples of such circumstances include, but are not limited to, family leave, medical leave, illness or disability, and loss of employment.

(d) The loan repayment assistance program must be available to otherwise eligible graduates of the law school who work in positions with nonprofit organizations or government agencies. Such positions must be located within Washington state. Government agencies shall include the various branches of the military.

(21) \$54,000 of the general fund--state appropriation for fiscal year 2008 and \$54,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the University of Washington geriatric education center to develop a voluntary adult family home certification program. In addition to the minimum qualifications required under RCW 70.128.120, individuals participating in the voluntary adult family home certification program shall complete fifty-two hours of class requirements as established by the University of Washington geriatric education center. Individuals completing the requirements of RCW 70.128.120 and the voluntary adult family home certification program shall be issued a certified adult family home license by the department of social and health services. The department of social and health services shall adopt rules implementing the provisions of this subsection.

(22) \$22,000 of the general fund--state appropriation for fiscal year 2008 and \$97,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the William D. Ruckelshaus center for implementation of section 5 of Engrossed Second Substitute House Bill No. 3123 (nurse staffing). If section 5 of the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(23) \$88,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the university to increase mental health professional staff by one full-time equivalent employee.

(24) \$200,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the marine sciences program to continue studying the impacts to biota in Hood Canal from low dissolved oxygen.

(25) \$1,000,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to establish an e-Science institute that will provide infrastructure and consulting expertise to university researchers in advanced computational techniques needed to capture, store, organize, access, mine, visualize, and interpret massive data sets.

(26) \$135,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to enable five undergraduate or graduate students to work as fellows in overseas international trade offices.

(27) \$65,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to expand the work of the office of the state climatologist in areas such as preparing,

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publishing, and disseminating climate summaries for individuals and organizations whose activities are related to the welfare of the state; supplying information needed to implement the state's drought contingency response plan; conducting and reporting on studies of climate and weather phenomena of significant socioeconomic impact to the state; and evaluating the impact of natural and man-made changes on the climate.

(28) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for incentive grants to support medical research or medical training projects focused upon improvement of services to persons with developmental disabilities. The university shall report to appropriate committees of the legislature by December 1, 2008, on incentive grants awarded, and other efforts to improve training for medical students in treating persons with developmental disabilities.

**Sec. 607.** 2007 c 522 s 605 (unmodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund--State Appropriation (FY 2008)	<del>(\$231,382,000)</del>
	\$232,201,000
General Fund--State Appropriation (FY 2009)	<del>(\$240,898,000)</del>
	\$235,108,000
Education Legacy Trust Account--State	
Appropriation . . . . .	\$33,884,000
Pension Funding Stabilization Account	
Appropriation . . . . .	\$2,450,000
<b>TOTAL APPROPRIATION</b>	<del>(\$508,614,000)</del>
	\$503,643,000

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

(1) \$5,315,000 of the education legacy trust account--state appropriation is to expand general enrollments by 290 student FTEs in fiscal year 2008 and by an additional 300 student FTEs in fiscal year 2009.

(2) \$3,525,000 of the education legacy trust account--state appropriation is to expand math and science enrollments by 65 student FTEs in fiscal year 2008, and by an additional 90 FTE students in fiscal year 2009, of which 15 FTEs in each fiscal year are expected to be graduate enrollments. The programs expanded shall include mathematics, engineering, and the physical sciences. Fifty student FTEs in each year will be shifted from general enrollments to high-demand, high-cost fields, and thus do not affect the enrollment levels listed in section 602 of this act. The university shall provide data to the office of financial management regarding math and science enrollments, graduations, and the employment of college graduates related to state investments in math and science programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$2,356,000 of the education legacy trust account appropriation is to expand bachelors-level, masters-level, and PhD enrollment at the Tri-Cities and Spokane campuses by 45 FTE students in fiscal year 2008, and by an additional 40 FTEs in fiscal year 2009.

(4) \$2,000,000 of the general fund--state appropriation for fiscal year 2008 and \$2,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for research and commercialization in bio-products and bio-fuels. Of this amount, \$2,000,000 shall be targeted at the development of new crops to be used in the bio-products facility at WSU-Tri-Cities. The remainder shall be used for research into new bio-products created from agricultural waste to be conducted in the Tri-Cities in a joint program between Washington State University and Pacific Northwest national laboratories.

(5) \$500,000 of the education legacy trust account--state appropriation is provided solely to expand the number of TRIO eligible students served in the student support services program

at Washington State University by 250 students each year. TRIO students include low-income, first-generation, and college students with disabilities. The student support services program shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through this appropriation. Retention rates shall continue to exceed 85 percent for TRIO students in this program.

(6) \$1,500,000 of the general fund--state appropriation for fiscal year 2008 and \$1,500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to promote the development of the Spokane-based applied sciences laboratory into a strong, self-sustaining research organization. The state funds shall be used to recruit and retain at least three senior research scientists; to employ business development and administrative personnel; and to establish and equip facilities for computational modeling and for materials and optical characterization.

(7) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$85,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operating support of the Washington state academy of sciences, under chapter 70.220 RCW.

(8) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for operating support of the William D. Ruckelshaus center.

(9) \$25,000 of the general fund--state appropriation for fiscal year 2008 ~~(is)~~ and \$175,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the William D. Ruckelshaus center to identify and carry out, or otherwise appropriately support, a process to identify issues that have led to conflict around land use requirements and property rights, and explore practical and effective ways to resolve or reduce that conflict. A report with conclusions and recommendations shall be submitted to the governor and the chairs of the appropriate committees of the legislature by October 31, 2007. Work will continue after the submission of the initial report, to include continuing research and the development of financial and policy options and a progress report on fact finding efforts and stakeholder positions due December 1, 2008.

(10) \$6,360,000 of the education legacy trust account--state appropriation is provided solely to expand health sciences offerings in Spokane. The university shall enroll 20 student FTEs in fiscal year 2009 in a University of Washington medical school extension program at the Riverpoint campus of WSU in Spokane. Students shall take the first year of courses for this program at the Riverpoint campus in Spokane, and shall do their clinical rotations and other upper level training in the inland northwest.

(11) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 and \$1,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for start-up and ongoing operation of the Vancouver campus-based electrical engineering program.

(12) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures, checkpoints, and targets in 2006. By July 31, 2007, the university and the board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight global challenge states identified in the Washington Learns study.

The checkpoints previously agreed by the board and the Washington State University are enumerated as follows:

(a) Increase the combined number of baccalaureate degrees conferred per year at all campuses to 4,170;

(b) Increase the combined number of high-demand baccalaureate degrees conferred at all campuses per year to 630;

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(c) Increase the combined number of advanced degrees conferred per year at all campuses to 1,090;

(d) Improve the six-year graduation rate for baccalaureate students to 63.2 percent;

(e) Improve the three-year graduation rate for students who transfer with an associates degree to 65.4 percent;

(f) Improve the freshman retention rate to 84.8 percent;

(g) Improve time to degree for baccalaureate students to 92 percent, measured by the percent of admitted students who graduate within 125 percent of the credits required for a degree; and

(h) The institution shall provide a report on Pell grant recipients' performance within each of the measures included in this section.

The Washington State University shall report its progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(13) In an effort to introduce students to and inform students of post-secondary opportunities in Washington state, by October 1st of each year the university shall report to the higher education coordinating board progress towards developing and implementing outreach programs designed to increase awareness of higher education to K-12 populations.

(14) \$3,000,000 of the general fund--state appropriation for fiscal year 2008 and \$3,000,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to support the unified agriculture initiative at Washington State University. Funds are provided for competitive agriculture grant funds, of which \$400,000 is provided for biological intensive and organic agriculture grants; for operating and program support for the university's research and extension centers, of which \$735,000 is for maintenance and operations support for the Mount Vernon research facility; and for positions to fill research gaps in the development of value-added agricultural products and economically and environmentally sustainable food production.

(15) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for support of basic operations and research at the university's grizzly bear study center.

(16) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the energy development center to establish certification standards and to process applications for renewable energy cost recovery incentives, as provided in chapters 300 and 301, Laws of 2005.

(17) \$30,000 of the general fund--state appropriation for fiscal year 2008 and \$30,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for Washington State University to gather data and conduct research associated with preparing the basin-wide assessment and to solicit nominations for review and submittal to the Washington academy of sciences for the creation of the Puget Sound science panel pursuant to Engrossed Second Substitute Senate Bill No. 5372 (Puget Sound partnership).

(18) \$10,000 of the general fund--state appropriation for fiscal year 2008 and \$40,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the William D. Ruckelshaus center for implementation of section 5 of Engrossed Second Substitute House Bill No. 3123 (nurse staffing). If section 5 of the bill is not enacted by June 30, 2008, the amounts provided in this subsection shall lapse.

(19) \$77,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the university to increase mental health professional staff by one full-time equivalent employee.

(20) \$160,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for administrative resources and personnel necessary for the implementation of Substitute House Bill No. 2963 (WSU collective bargaining). If the bill is

not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(21) \$200,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement a teacher preparation program at Washington State University--Vancouver that will prepare currently-licensed teachers to more effectively educate K-12 students who are deaf or hearing-impaired. The program will use a variety of distance learning instructional methods and delivery formats in order to reach teachers throughout the state.

(22) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to expand services at the Renton small business development center.

(23) \$145,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington State University urban integrated pest management program to provide technical assistance to school districts implementing integrated pesticide management programs. The program shall also assist the Washington state school directors' association in developing a statewide model policy for integrated pest management.

(24) \$500,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of section 6 of Senate Bill No. 6438 (high speed internet deployment). If section 6 of Senate Bill No. 6438 is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(25) The appropriations in this section include specific funding to implement Senate Bill No. 6187 (food animal veterinarians).

**Sec. 608.** 2007 c 522 s 606 (uncodified) is amended to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund--State Appropriation (FY 2008)	(( <del>\$48,907,000</del> ))
	\$48,911,000
General Fund--State Appropriation (FY 2009)	(( <del>\$50,736,000</del> ))
	\$48,959,000
Education Legacy Trust Account--State	
Appropriation . . . . .	\$14,753,000
Pension Funding Stabilization Account	
Appropriation . . . . .	\$4,758,000
	TOTAL APPROPRIATION (( <del>\$119,154,000</del> ))
	\$117,381,000

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

(1) \$930,000 of the education legacy trust account--state appropriation is to expand general enrollments by 130 student FTEs in fiscal year 2009. Of these, 30 FTEs in 2009 are expected to be graduate student FTEs.

(2) \$1,170,000 of the education legacy trust account--state appropriation is to expand high-demand undergraduate enrollments by 50 student FTEs in each fiscal year. The programs expanded shall include, but are not limited to, mathematics, engineering, and health sciences. The university shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in high-demand enrollment programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$500,000 of the education legacy trust account--state appropriation is provided solely to expand the number of TRIO eligible students served in the student support services program at Eastern Washington University by 250 students each year. TRIO students include low-income, first-generation, and college students with disabilities. The student support services program shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through

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this appropriation. Retention rates shall continue to exceed 85 percent for TRIO students in this program.

(4) \$1,021,000 of the education legacy trust account--state appropriation is provided solely for the RIDE program. The program shall enroll eight student FTEs in the University of Washington school of dentistry in fiscal year 2009. Students shall take the first year of courses for this program at the Riverpoint campus in Spokane, and their second and third years at the University of Washington school of dentistry.

(5) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures, checkpoints, and targets in 2006. By July 31, 2007, the university and the board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight global challenge states identified in the Washington Learns study.

The checkpoints previously agreed by the board and the Eastern Washington University are enumerated as follows:

(a) Increase the number of baccalaureate degrees conferred per year to 2035;

(b) Increase the number of high-demand baccalaureate degrees conferred per year to 405;

(c) Increase the number of advanced degrees conferred per year at all campuses to 550;

(d) Improve the six-year graduation rate for baccalaureate students to 50.0 percent;

(e) Improve the three-year graduation rate for students who transfer with an associates degree to 61.0 percent;

(f) Improve the freshman retention rate to 76.0 percent;

(g) Improve time to degree for baccalaureate students to 81.0 percent, measured by the percent of admitted students who graduate within 125 percent of the credits required for a degree; and

(h) The institution shall provide a report on Pell grant recipients' performance within each of the measures included in this section.

Eastern Washington University shall report its progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(6) In an effort to introduce students to and inform students of post-secondary opportunities in Washington state, by October 1st of each year the university shall report to the higher education coordinating board progress towards developing and implementing outreach programs designed to increase awareness of higher education to K-12 populations.

(7) \$80,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the university to increase mental health professional staff by one full-time equivalent employee.

(8) \$62,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the institute for public policy and economic analysis to conduct an assessment of the likely medical, health care delivery, and economic consequences of the proposed sale of a major eastern Washington health care delivery system.

(9) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the northwest autism center to increase child diagnostic services and teacher training services.

**Sec. 609.** 2007 c 522 s 607 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund--State Appropriation (FY 2008) ~~((\$47,326,000))~~  
\$47,691,000

General Fund--State Appropriation (FY 2009) ~~((\$49,539,000))~~  
\$47,978,000

Education Legacy Trust Account--State

Appropriation . . . . . \$16,219,000

Pension Funding Stabilization Account

Appropriation . . . . . \$4,330,000

TOTAL APPROPRIATION ~~((\$117,414,000))~~

\$116,218,000

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

(1) \$2,474,000 of the education legacy trust account--state appropriation is to increase general enrollments by 70 FTE students in fiscal year 2008 and by an additional 211 FTE enrollments in fiscal year 2009. At least 30 of the additional fiscal year 2009 enrollments are expected to be graduate students.

(2) \$1,816,000 of the education legacy trust account--state appropriation for fiscal year 2008 is to increase math and science enrollments by 105 FTE students in fiscal year 2008 and by an additional 89 FTE students in fiscal year 2009. The university shall provide data to the office of financial management regarding math and science enrollments, graduations, and employment of college graduates related to state investments in math and science enrollment programs. Data may be provided through the centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$1,801,000 of the education legacy trust account--state appropriation is to increase high-demand undergraduate enrollments by 85 student FTEs in fiscal year 2008 and by an additional 70 FTE students in fiscal year 2009. The programs expanded shall include, but are not limited to, bilingual education and information technology. The university shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in high-demand enrollment programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(4) \$500,000 of the education legacy trust account--state appropriation is provided solely to expand the number of TRIO eligible students served in the student support services program at Central Washington University by 250 students each year. TRIO students include low-income, first-generation, and college students with disabilities. The student support services program shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through this appropriation. Retention rates shall continue to exceed 85 percent for TRIO students in this program.

(5) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures, checkpoints, and targets in 2006. By July 31, 2007, the university and the board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight global challenge states identified in the Washington Learns study.

The checkpoints previously agreed by the board and the Central Washington University are enumerated as follows:

(a) Increase the number of baccalaureate degrees conferred per year to 2,050;

(b) Increase the number of high-demand baccalaureate degrees conferred per year to 49;

(c) Increase the number of advanced degrees conferred per year at all campuses to 196;

(d) Improve the six-year graduation rate for baccalaureate students to 51.1 percent;

(e) Improve the three-year graduation rate for students who transfer with an associates degree to 72.3 percent;

(f) Improve the freshman retention rate to 78.2 percent;

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(g) Improve time to degree for baccalaureate students to 86.6 percent, measured by the percent of admitted students who graduate within 125 percent of the credits required for a degree; and

(h) The institution shall provide a report on Pell grant recipients' performance within each of the measures included in this section.

Central Washington University shall report its progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(6) \$500,000 of the education legacy trust account appropriation is provided solely to implement Engrossed Substitute House Bill No. 1497 (Central Washington University operating fee waivers). If the bill is not enacted by June 30, 2007, this appropriation shall lapse.

(7) In an effort to introduce students to and inform students of post-secondary opportunities in Washington state, by October 1st of each year the university shall report to the higher education coordinating board progress towards developing and implementing outreach programs designed to increase awareness of higher education to K-12 populations.

(8) \$80,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the university to increase mental health professional staff by one full-time equivalent employee.

**Sec. 610.** 2007 c 522 s 608 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund--State Appropriation (FY 2008)	<del>(\$29,744,000)</del>
	\$29,747,000
General Fund--State Appropriation (FY 2009)	<del>(\$30,057,000)</del>
	\$29,403,000
Education Legacy Trust Account--State	
Appropriation . . . . .	\$4,758,000
TOTAL APPROPRIATION . . . . .	<del>(\$64,559,000)</del>
	\$63,908,000

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

(1) \$562,000 of the education legacy trust account--state appropriation is to expand upper division math and science enrollments by 22 student FTEs in fiscal year 2008 and by an additional 28 student FTEs in fiscal year 2009.

(2) \$260,000 of the education legacy trust account--state appropriation for fiscal year 2009 is for 20 student FTE graduate enrollments in the masters in education program.

(3) \$500,000 of the education legacy trust account--state appropriation is provided solely to expand the number of TRIO eligible students served in the student support services program at The Evergreen State College by 250 students each year. TRIO students include low-income, first-generation, and college students with disabilities. The student support services program shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through this appropriation. Retention rates shall continue to exceed 80 percent for students served in this program, with a goal of reaching a retention rate in excess of 85 percent.

(4) \$614,000 of the education legacy trust account appropriation is provided solely to increase the number and value of tuition waivers awarded to state-supported students.

(5) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures, checkpoints, and targets in 2006. By July 31, 2007, the college and the board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight

global challenge states identified in the Washington Learns study.

The checkpoints previously agreed by the board and The Evergreen State College are enumerated as follows:

(a) Increase the number of baccalaureate degrees conferred per year to 1182;

(b) Increase the number of advanced degrees conferred per year at all campuses to 92;

(c) Improve the six-year graduation rate for baccalaureate students to 57.0 percent;

(d) Improve the three-year graduation rate for students who transfer with an associates degree to 72.8 percent;

(e) Improve the freshman retention rate to 73.9 percent;

(f) Improve time to degree for baccalaureate students to 97.0 percent, measured by the percent of admitted students who graduate within 125 percent of the credits required for a degree; and

(g) The institution shall provide a report on Pell grant recipients' performance within each of the measures included in this section.

The Evergreen State College shall report its progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(6) In an effort to introduce students to and inform students of post-secondary opportunities in Washington state, by October 1st of each year the university shall report to the higher education coordinating board progress towards developing and implementing outreach programs designed to increase awareness of higher education to K-12 populations.

(7) \$435,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the Washington state institute for public policy (WSIPP) to assist the joint task force on basic education finance created pursuant to Engrossed Second Substitute Senate Bill No. 5627 (requiring a review and development of basic education funding). The institute shall assist the joint task force in a review of the definition of basic education and the development of options for a new funding structure for K-12 public schools. (If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse--) The task force on basic education as created in chapter 399, Laws of 2007 shall consider the ruling of the King County Superior Court in the matter of *Federal Way School District v. The State of Washington* in developing recommendations for a new basic education school finance formula. The recommendations should include proposals that directly address the issue of equity in salary allocations in the new school finance formula.

(8) \$180,000 of the general fund--state appropriation for fiscal year 2008 and \$180,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington state institute for public policy to study the program effectiveness and cost-benefit of state-funded programs that meet the criteria of evidence-based programs and practices, and emerging best practice/promising practice, as defined in RCW 71.24.025 (12) and (13) for adult offenders in the department of corrections, and juvenile offenders under state and local juvenile authority.

(9) \$75,000 of the general fund--state appropriation for fiscal year 2008 and \$75,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the Washington state institute for public policy to evaluate the effectiveness of current methods for screening and treating depression in women who receive temporary assistance for needy families (TANF), and to make recommendations for their improvement.

(10) \$133,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to implement Substitute House Bill No. 1472 (child welfare). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

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(11) Notwithstanding other provisions in this section, the Washington state institute for public policy may adjust due dates for projects included on the institute's 2007-09 workplan as necessary to efficiently manage workload.

(12) \$19,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state institute for public policy (WSIPP) to (a) conduct a national review of state programs for youth transitioning out of foster care and analyze state policies on eligibility requirements for continued foster care, age thresholds for transition services, types of services provided, and use of state funds to supplement federal moneys; and (b) survey foster youth and foster parents in Washington regarding how well current services are meeting the needs of youth transitioning out of foster care to independence. The institute shall issue a preliminary report by September 1, 2008, with a final report by December 31, 2008.

(13) \$85,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the college to increase mental health professional staff by one full-time equivalent employee.

(14) \$46,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state institute for public policy (WSIPP) for implementation of Second Substitute Senate Bill No. 6732 (construction industry). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(15) \$69,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state institute for public policy to study the status of adult literacy education in Washington. The study shall include an analysis of literacy rates by county; a review of the research literature; a description of literacy-related services provided by state agencies and community-based organizations; and an analysis of the characteristics of persons receiving those services. The institute shall report its findings to the governor, appropriate committees of the legislature, and to the state board for community and technical colleges by December 1, 2008.

(16) \$23,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to implement the evaluation required by Senate Bill No. 6665 (crisis response programs). If the bill is not enacted by June 30, 2009, the amount provided in this subsection shall lapse.

(17) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state institute for public policy to conduct a review of research on service and support programs for children and adults with developmental disabilities, excluding special education, and an economic analysis of net program costs and benefits. The institute shall submit a preliminary report of findings by January 1, 2009, and a final report by June 30, 2009.

(18) \$50,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state institute for public policy to examine data gathered through the address verification activities funded in section 217(10) of this act and through interviews with selected law enforcement jurisdictions who receive the funding to assess the prevalence of sex offenders who register as homeless as a means to avoid disclosing their residence. The institute shall report its findings and estimates to appropriate policy committees of the legislature by December 1, 2008.

(19) \$70,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state institute for public policy to analyze local practices regarding RCW 28A.225.020, 28A.225.025, and 28A.225.030.

(a) The institute shall: (i) Sample school districts' and superior courts' expenditures in fiscal years 2005, 2006, 2007, and 2008 used to comply with RCW 28A.225.020, 28A.225.025, and 28A.225.030; (ii) evaluate evidence-based, research-based, promising, and consensus-based truancy intervention and prevention programs and report on local practices that could be designated as such; (iii) survey school

district truancy petition and intervention programs and services currently available and report on any gaps in accessing services; (iv) survey the districts' definitions of "absence" and "unexcused absence"; (v) survey the courts' frequency of use of contempt proceedings and barriers to the use of proceedings; and (vi) analyze the academic impact of RCW 28A.225.030 by sampling school districts' student academic records to ascertain the students' post-petition attendance rate, grade progression, and high school graduation for students where the school district filed a truancy petition in superior court.

(b) In conducting its analysis, the institute may consult with employees and access data systems of the office of the superintendent of public instruction and any educational service district or school district and the administrative office of the courts, each of which shall provide the institute with access to necessary data and administrative systems.

**Sec. 611.** 2007 c 522 s 609 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund--State Appropriation (FY 2008)	(( <del>\$66,716,000</del> ))
	\$66,774,000
General Fund--State Appropriation (FY 2009)	(( <del>\$69,917,000</del> ))
	\$68,085,000
Education Legacy Trust Account--State	
Appropriation	\$11,845,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$148,478,000</del>))</b>
	<b>\$146,704,000</b>

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

(1) \$281,000 of the education legacy trust account--state appropriation is to expand math and science enrollments by 8 student FTEs in fiscal year 2008 and by an additional 8 student FTEs in fiscal year 2009. Programs expanded include cell and molecular biology. The university shall provide data to the office of financial management regarding math and science enrollments, graduations, and the employment of college graduates related to state investments in math and science enrollment programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(2) \$4,013,000 of the education legacy trust account--state appropriation is to expand general enrollments by 235 student FTEs in fiscal year 2008 and by an additional 130 student FTEs in fiscal year 2009. Of these, 24 FTEs in each fiscal year are expected to be graduate student FTEs.

(3) \$920,000 of the education legacy trust account--state appropriation is to expand high demand enrollments by 50 FTE students in fiscal year 2008 and by an additional 15 FTE students in fiscal year 2009. Programs expanded include early childhood education and teaching English as a second language. The university shall provide data to the office of financial management regarding high-demand enrollments, graduations, and employment of college graduates related to state investments in high demand enrollment programs. Data may be provided through the centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(4) \$500,000 of the education legacy trust account--state appropriation is provided solely to expand the number of low-income and first-generation students served in the student outreach services program at Western Washington University by 500 students over the biennium. The student outreach services program shall report annually to the office of financial management and the appropriate policy and fiscal committees of the legislature on the retention and completion rates of students served through this appropriation. Retention rates shall continue to exceed 80 percent for students served in this

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program, with a goal of reaching a retention rate in excess of 85 percent.

(5) The higher education coordinating board, the office of financial management, and the higher education institutions negotiated a set of performance measures, checkpoints, and targets in 2006. By July 31, 2007, the university and the board shall review and revise these targets based on per-student funding in the 2007-09 appropriations act. In addition, the board shall compile comparable data from peer institutions in the eight global challenge states identified in the Washington Learns study.

The checkpoints previously agreed by the board and the Western Washington University are enumerated as follows:

(a) Increase the number of baccalaureate degrees conferred per year to 2,968;

(b) Increase the number of high-demand baccalaureate degrees conferred per year to 371;

(c) Increase the number of advanced degrees conferred per year at all campuses to 375;

(d) Improve the six-year graduation rate for baccalaureate students to 62.8 percent;

(e) Improve the three-year graduation rate for students who transfer with an associates degree to 61.4 percent;

(f) Improve the freshman retention rate to 85.0 percent;

(g) Improve time to degree for baccalaureate students to 95.6 percent, measured by the percent of admitted students who graduate within 125 percent of the credits required for a degree; and

(h) The institution shall provide a report on Pell grant recipients' performance within each of the measures included in this section.

Western Washington University shall report its progress and ongoing efforts toward meeting the provisions of this section to the higher education coordinating board prior to November 1, 2009.

(6) In an effort to introduce students to and inform students of post-secondary opportunities in Washington state, the university shall report progress towards developing and implementing outreach programs designed to increase awareness of higher education to K-12 populations to the higher education coordinating board by October 1st of each year.

(7) \$1,169,000 of the education legacy trust account appropriation is for the advanced materials science and engineering program. The program shall develop the advanced materials science and engineering center for research, teaching, and development which will offer a minor degree in materials science and engineering beginning in the fall 2009.

(8) \$444,000 of the general fund--state appropriation for fiscal year 2008 and \$611,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for development of the biomedical research activities in neuroscience (BRAIN) program. The program shall link biology and chemistry curriculum to prepare students for biomedical research positions in academia and industry.

(9) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state campus compact to increase the number of college and university students mentoring students in eighth through twelfth grades.

(10) \$62,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the university to increase mental health professional staff by one full-time equivalent employee.

Sec. 612. 2007 c 522 s 610 (uncodified) is amended to read as follows:

**FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND ADMINISTRATION**

General Fund--State Appropriation (FY 2008) . ((\$6,922,000))

	\$7,008,000
General Fund--State Appropriation (FY 2009) .	(((\$6,954,000))
	\$7,231,000
General Fund--Federal Appropriation . . . . .	(((\$4,342,000))
	\$4,333,000
TOTAL APPROPRIATION .	(((\$18,218,000))
	\$18,572,000

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

(1) \$87,000 of the general fund--state appropriation for fiscal year 2008 and \$169,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to maintain and update a scholarship clearinghouse that lists every public and private scholarship available to Washington students. The higher education coordinating board shall develop a web-based interface for students and families as well as a common application for these scholarships.

(2) \$339,000 of the general fund--state appropriation for fiscal year 2008 and \$330,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Second Substitute Senate Bill No. 5098 (the college bound scholarship). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(3) \$200,000 of the general fund--state appropriation for fiscal year 2008 and \$150,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Engrossed Substitute House Bill No. 1131 (the passport to college promise). If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(4) \$152,000 of the general fund--state appropriation for fiscal year 2008 and \$191,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for administration of conditional scholarships.

(5) Except for moneys provided in this section for specific purposes, and to the extent that the executive director finds that the agency will not require the full amount appropriated for a fiscal year in this section, the unexpended appropriation shall be transferred to the state education trust account established under RCW 28B.92.140 for purposes of fulfilling unfunded scholarship commitments that the board made under its federal GEAR UP Grant 1.

(6) \$200,000 of the general fund--state appropriation is provided solely to implement a capital facility and technology capacity study which will compare the 10-year enrollment projections with the capital facility requirements and technology application and hardware capacity needed to deliver higher education programs for the period 2009-2019. The ~~((joint legislative audit and review committee))~~ higher education coordinating board shall:

(a) Develop the study in collaboration with the state board for community and technical colleges, ~~((the higher education coordinating board,))~~ four-year universities, and the Washington independent colleges;

(b) Determine the 10-year capital facilities and technology application and hardware investment needed by location to deliver higher education programs to additional student FTE;

(c) Estimate operational and capital costs of the additional capacity; and

(d) Report findings to the legislature on October 1, 2008.

(7) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$127,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the board to prepare a program and operating plan for a higher education center in the Kitsap county area. The plan shall be developed in consultation with an advisory committee of civic, business, and educational leaders from Clallam, Jefferson, Kitsap, and Mason counties. It shall include a projection of lower and upper division and graduate enrollment trends in the study area; a review of assessments of employer needs; an inventory of existing and needed postsecondary programs;

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recommended strategies for promoting active program participation in and extensive program offerings at the center by public and private baccalaureate institutions; and an estimate of operating and capital costs for the creation and operation of the center. The board shall submit its findings and recommendations to the governor and legislature by December 1, 2008.

(8) \$30,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2783 (education transfer articulation). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(9) \$14,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the higher education coordinating board to convene a work group to: (a) Assess current institutional practices in accepting prior learning credits; and (b) make recommendations on implementation of the work group's findings. A report is due to the legislature by December 1, 2008.

(10) \$60,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed House Bill No. 2641 (education performance agreements). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(11) The higher education coordinating board, the department of licensing, and the department of health shall jointly review and report to appropriate policy committees of the legislature by December 1, 2008, on barriers and opportunities for increasing the extent to which veterans separating from duty are able to apply skills sets and education required while in service to certification, licensure, and degree requirements.

(12) \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the higher education coordinating board to convene interested parties from Snohomish, Island, and Skagit counties to consider the November 2007 site options and recommendations for a new campus of the University of Washington in Snohomish county. The three local communities shall develop a consensus recommendation on a single preferred site and present the recommendation to the higher education coordinating board. The higher education coordinating board shall then present the single preferred site recommendation to the appropriate legislative fiscal and policy committees by December 1, 2008.

**Sec. 613.** 2007 c 522 s 611 (uncodified) is amended to read as follows:

**FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT PROGRAMS**

General Fund--State Appropriation (FY 2008) . . .	\$163,286,000
General Fund--State Appropriation (FY 2009) ( <del>(\$187,252,000)</del> )	\$188,998,000
General Fund--Federal Appropriation . . . . .	( <del>(\$13,122,000)</del> )
	\$13,113,000
Education Legacy Trust Account--State	
Appropriation . . . . .	\$108,188,000
TOTAL APPROPRIATION ( <del>(\$471,848,000)</del> )	\$473,585,000

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

(1) (~~(\$154,837,000)~~) \$154,760,000 of the general fund--state appropriation for fiscal year 2008, (~~(\$177,863,000)~~) \$178,707,000 of the general fund--state appropriation for fiscal year 2009, \$49,902,000 of the education legacy trust account appropriation for fiscal year 2008, \$40,050,000 of the education legacy trust account appropriation for fiscal year 2009, and \$2,886,000 of the general fund--federal appropriation are provided solely for student financial aid payments under the state need grant; the state work study program including a four percent administrative allowance; the Washington scholars program; and the Washington award for vocational excellence.

All four programs shall increase grant awards sufficiently to offset the full cost of the resident undergraduate tuition increases authorized under this act.

(2) Within the funds appropriated in this section, eligibility for the state need grant shall be expanded to include students with family incomes at or below 70 percent of the state median family income, adjusted for family size. Awards for students with incomes between 66 percent and 70 percent of the state median shall be 50 percent of the award amount granted to those with incomes below 51 percent of the median.

(3) To the extent that the executive director determines that the agency will not award the full amount appropriated in subsection (1) of this section for a fiscal year, unexpended funds shall be transferred to the state education trust account established under RCW 28B.92.140 for purposes first of fulfilling the unfunded scholarship commitments that the board made under its federal GEAR UP Grant 1.

(4) \$7,400,000 of the education legacy trust account appropriation is provided solely for investment to fulfill the scholarship commitments that the state incurs in accordance with Second Substitute Senate Bill No. 5098 (the college bound scholarship). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(5) \$2,500,000 of the education legacy trust account--state appropriation is provided solely to expand the gaining early awareness and readiness for undergraduate programs project to at least 25 additional school districts.

(6) \$1,000,000 of the education legacy trust account--state appropriation is provided solely to encourage more students to teach secondary mathematics and science. \$500,000 of this amount is provided to increase the future teacher scholarship and conditional loan program by at least 35 students per year. \$500,000 of this amount is provided to support state work study positions for students to intern in secondary math and science classrooms.

(7) \$2,336,000 of the education legacy trust account--state appropriation for fiscal year 2009 is provided solely for implementation of Engrossed Substitute House Bill No. 1131 (passport to college). Funds are provided for student scholarships, and for incentive payments to the colleges they attend for individualized student support services which may include, but are not limited to, college and career advising, counseling, tutoring, costs incurred for students while school is not in session, personal expenses, health insurance, and emergency services. If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(8) \$246,000 of the general fund--state appropriation for fiscal year 2008 and \$246,000 of the general fund--state appropriation for fiscal year 2009 are for community scholarship matching grants and its administration. To be eligible for the matching grant, nonprofit groups organized under section 501(c)(3) of the federal internal revenue code must demonstrate they have raised at least \$2,000 in new moneys for college scholarships after the effective date of this section. Groups may receive no more than one \$2,000 matching grant per year and preference shall be given to groups affiliated with scholarship America. Up to a total of \$46,000 per year of the amount appropriated in this section may be awarded to a nonprofit community organization to administer scholarship matching grants, with preference given to an organization affiliated with scholarship America.

(9) \$75,000 of the general fund--state appropriation for fiscal year 2008 and (~~(\$75,000)~~) \$575,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for higher education student child care matching grants under chapter 28B.135 RCW.

(10) \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Engrossed Substitute House Bill No. 1179 (state need grant). State need grants provided to students



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enrolled in just three to five credit-bearing quarter credits, or the equivalent semester credits, shall not exceed the amounts appropriated in this subsection. By November 1 of each year, the board shall report to the office of financial management and to the operating budget committees of the house of representatives and senate on the number of eligible but unserved students enrolled in just three to five quarterly credits, or the semester equivalent, and the estimated cost of serving them. If the bill is not enacted by June 30, 2007, the amounts provided in this subsection shall lapse.

(11) \$5,000,000 of the education legacy trust account appropriation is provided solely to implement Engrossed Second Substitute House Bill No. 1779 (GET ready for math and science). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(12) \$1,250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the health professional scholarship and loan program. The funds provided in this subsection (a) shall be prioritized for health care deliver sites demonstrating a commitment to serving the uninsured; and (b) shall be allocated between loan repayments and scholarships proportional to current program allocations.

**Sec. 614.** 2007 c 522 s 612 (uncodified) is amended to read as follows:

**FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund--State Appropriation (FY 2008) . . . .	\$1,757,000
General Fund--State Appropriation (FY 2009) . . . .	<del>(\$1,772,000)</del>
	<u>\$1,736,000</u>
General Fund--Federal Appropriation . . . . .	<del>(\$54,011,000)</del>
	<u>\$53,996,000</u>
TOTAL APPROPRIATION . . . . .	<del>(\$57,540,000)</del>
	<u>\$57,489,000</u>

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

(1) \$340,000 of the general fund--state appropriation for fiscal year 2008 and \$340,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the board to:

(a) Allocate grants on a competitive basis to establish and support industry skill panels. Grant recipients shall provide an employer match of at least twenty-five percent, and identify work force strategies to benefit employers and workers across the industry; and

(b) Establish industry skill panel standards that identify the expectations for industry skill panel products and services.

(2) \$53,000 of the general fund--state appropriation for fiscal year 2008 and \$53,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to improve the oversight of private vocational and career schools.

(3) The appropriations in this section include specific funding to implement Substitute Senate Bill No. 5254 (industry skills panels) and Substitute Senate Bill No. 6261 (adult youth).

(4) The appropriations in this section include sufficient funds to implement section 2 of Engrossed Substitute Senate Bill No. 6295 (workplace e-learning).

**Sec. 615.** 2007 c 522 s 613 (uncodified) is amended to read as follows:

**FOR THE SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE**

General Fund--State Appropriation (FY 2008) . . . .	\$1,718,000
General Fund--State Appropriation (FY 2009) . . . .	<del>(\$1,789,000)</del>
	<u>\$1,745,000</u>
TOTAL APPROPRIATION . . . . .	<del>(\$3,507,000)</del>
	<u>\$3,463,000</u>

**Sec. 616.** 2007 c 522 s 614 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF EARLY LEARNING**

General Fund--State Appropriation (FY 2008) <del>(\$61,780,000)</del>	<u>\$62,362,000</u>
General Fund--State Appropriation (FY 2009) <del>(\$72,707,000)</del>	<u>\$76,304,000</u>
General Fund--Federal Appropriation . . . . .	<del>(\$192,360,000)</del>
	<u>\$192,192,000</u>
General Fund--Private/Local Appropriation . . . . .	\$6,000
TOTAL APPROPRIATION <del>(\$326,853,000)</del>	<u>\$330,864,000</u>

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

(1) \$47,919,000 of the general fund--state appropriation for fiscal year 2008 and \$56,437,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for early childhood education and assistance program services.

(a) Of these amounts, \$10,284,000 is a portion of the biennial amount of state matching dollars required to receive federal child care and development fund grant dollars.

(b) Within the amounts provided in this subsection (1), the department shall increase the number of children receiving early childhood education and assistance program services by 2,250 slots.

(c) Within the amounts provided in this subsection (1), the department shall increase the minimum provider per slot payment to \$6,500 in fiscal year 2008. Any provider receiving slot payments higher than \$6,500 shall receive a 2.0 percent vendor rate increase in fiscal year 2008. All providers shall receive a 2.0 percent vendor rate increase in fiscal year 2009.

(2) \$775,000 of the general fund--state appropriation for fiscal year 2008 and \$4,225,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to: (a) Develop a quality rating and improvement system; and (b) pilot the quality rating and improvement system in multiple locations. Four of the pilot sites are to be located within the following counties: Spokane, Kitsap, King, and Yakima. The department shall analyze and evaluate the pilot sites and report initial findings to the legislature by December 1, 2008. Prior to statewide implementation of the quality rating and improvement system, the department of early learning shall present the system to the legislature and the legislature shall formally approve the implementation of the system through the omnibus appropriations act or by statute or concurrent resolution.

(3) \$850,000 of the general fund--state appropriation for fiscal year 2008 and \$850,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to contract for child care referral services.

(4) \$1,200,000 of the general fund--state appropriation for fiscal year 2008 and \$800,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers. This includes funding for the department to conduct a random sample survey of parents to determine the types of early learning services and materials parents are interested in receiving from the state. The department shall report the findings to the appropriate policy and fiscal committees of the legislature by October 1, 2008.

(5) \$250,000 of the general fund--state appropriation for fiscal year 2008 and \$250,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a child care consultation pilot program linking child care providers with evidence-based and best practice resources regarding caring for infants and young children who present behavior concerns.

(6) \$500,000 of the general fund--state appropriation for fiscal year 2008 and \$500,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to expand the child care career and wage ladder program created by chapter 507, Laws of 2005.

(7) \$172,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for the department to

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purchase licensing capability from the department of social and health services through the statewide automated child welfare information system.

(8) \$1,100,000 of the general fund--state appropriation for fiscal year 2008 and \$1,100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a childcare grant program for public community colleges and public universities. A community college or university that employs collectively bargained staff to operate childcare programs may apply for up to \$25,000 per year from the department per each type of the following programs: Head start, childcare, early childhood assistance and education. The funding shall only be provided for salaries for collectively bargained employees.

(9) Beginning October 1, 2007, the department shall be the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to partially fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(10) Prior to the development of an early learning information system, the department shall submit to the education and fiscal committees of the legislature a completed feasibility study and a proposal approved by the department of information systems and the information services board. The department shall ensure that any proposal for the early learning information system includes the cost for modifying the system as a result of licensing rule changes and implementation of the quality rating and improvement system.

(11) \$250,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for implementation of Second Substitute House Bill No. 3168 (Washington head start program). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(12) The department, in conjunction with the early learning advisory council, shall report by June 30, 2009, to the governor and the appropriate committees of the legislature regarding the following:

(a) Administration of the state training and registry system, including annual expenditures, participants, and average hours of training provided per participant; and

(b) An evaluation of the child care resource and referral network in providing information to parents and training and technical assistance to child care providers.

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

(14) \$150,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the department of early learning to work with the office of the superintendent of public instruction, and collaborate with three by five Washington, to study and make recommendations regarding the implementation of a statewide kindergarten entry assessment. The department and the office of the superintendent of public instruction shall jointly submit a report with recommendations for implementing the kindergarten entry assessment to the governor and the appropriate committees of the legislature by December 15, 2008. In the study and development of the recommendations, the department shall:

(a) Consult with early learning experts, including research and educator associations, early learning and kindergarten teachers, and Washington Indian tribes;

(b) Identify a preferred kindergarten entry assessment based on research and examples of other assessments, and which is sensitive to cultural and socioeconomic differences influencing the development of young children;

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(c) Recommend a plan for the use of the assessment in a pilot phase and a voluntary use phase, and recommend a time certain when school districts must offer the assessment;

(d) Recommend how to report the results of the assessment to parents, the office of the superintendent of public instruction, and the department of early learning in a common format, and for a methodology for conducting the assessments;

(e) Analyze how the assessment could be used to improve instruction for individual students entering kindergarten and identify whether and how the assessment results could be used to improve the early learning and K-12 systems, including the transition between the systems;

(f) Identify the costs of the assessment, including the time required to administer the assessment; and

(g) Recommend how to ensure that the assessment shall not be used to screen or otherwise preclude children from entering kindergarten if they are otherwise eligible.

(15) \$120,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for encouraging private match investment for innovative, existing local early learning coalitions to achieve one or more of the following:

(a) Increase communities' abilities to implement their business plans for comprehensive local and regional early learning systems;

(b) Involve parents in their children's education;

(c) Enhance coordination between the early childhood and K-12 system; or

(d) Improve training and support for raising the level of child care givers' professional skills to ensure that children are healthy and ready to succeed in school and life.

Sec. 617. 2007 c 522 s 615 (uncodified) is amended to read as follows:

#### FOR THE STATE SCHOOL FOR THE BLIND

General Fund--State Appropriation (FY 2008)	. (( <del>\$5,958,000</del> ))
	\$5,969,000
General Fund--State Appropriation (FY 2009)	. (( <del>\$6,186,000</del> ))
	\$6,105,000
General Fund--Private/Local Appropriation . . .	(( <del>\$1,600,000</del> ))
	\$1,561,000
TOTAL APPROPRIATION	. (( <del>\$13,744,000</del> ))
	\$13,635,000

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

(1) \$10,000 of the general fund--state appropriation for fiscal year 2008 and \$40,000 of the general fund--state appropriation for fiscal year 2009 are provided solely to defend the state's interpretive position in the case of *Delyria & Koch v. Washington State School for the Blind*.

(2) \$5,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for increasing salaries for certificated instructional staff by an average of one-half of one percent effective July 1, 2008.

Sec. 618. 2007 c 522 s 616 (uncodified) is amended to read as follows:

#### FOR THE STATE SCHOOL FOR THE DEAF

General Fund--State Appropriation (FY 2008)	. (( <del>\$8,731,000</del> ))
	\$8,858,000
General Fund--State Appropriation (FY 2009)	. (( <del>\$9,015,000</del> ))
	\$8,915,000
General Fund--Private/Local Appropriation . . . . .	(( <del>\$232,000</del> ))
	\$316,000
TOTAL APPROPRIATION	. (( <del>\$17,978,000</del> ))
	\$18,089,000

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

(1) \$84,000 of the general fund--private/local appropriation for fiscal year 2009 is provided solely for the operation of the

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shared reading video outreach program. The school for the deaf shall provide this service to the extent it is funded by contracts with school districts and educational service districts.

(2) \$9,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for increasing salaries for certificated instructional staff by an average of one-half of one percent effective July 1, 2008.

**Sec. 619.** 2007 c 522 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund--State Appropriation (FY 2008) . . . . \$2,548,000  
 General Fund--State Appropriation (FY 2009) . . . . ~~(\$2,578,000)~~  
~~\$2,541,000~~  
 General Fund--Federal Appropriation . . . . . \$1,382,000  
 General Fund--Private/Local Appropriation . . . . . \$154,000  
 TOTAL APPROPRIATION . . . . . ~~(\$6,662,000)~~  
~~\$6,625,000~~

**Sec. 620.** 2007 c 522 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund--State Appropriation (FY 2008) . . . . \$3,558,000  
 General Fund--State Appropriation (FY 2009) . . . . ~~(\$3,609,000)~~  
~~\$3,798,000~~  
 TOTAL APPROPRIATION . . . . . ~~(\$7,167,000)~~  
~~\$7,356,000~~

The appropriations in this section are subject to the following conditions and limitations: \$255,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the Washington state Holocaust education resource center for the purposes of preserving Washington's historical connection to the Holocaust and expanding understanding of the Holocaust and genocide. Grant moneys may be used to develop and disseminate education and multimedia curriculum resources; provide teacher training; acquire and maintain primary source materials and Holocaust artifacts; collect and preserve oral accounts from Washington state Holocaust survivors, liberators, and witnesses; and build organizational capacity.

**Sec. 621.** 2007 c 522 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund--State Appropriation (FY 2008) . . . . \$1,918,000  
 General Fund--State Appropriation (FY 2009) . . . . ~~(\$2,046,000)~~  
~~\$2,069,000~~  
 TOTAL APPROPRIATION . . . . . ~~(\$3,964,000)~~  
~~\$3,987,000~~

The appropriations in this section are subject to the following conditions and limitations: \$88,000 of the general fund--state appropriation for fiscal year 2009 is provided solely to catalog the American Indian collection.

(End of part)

**PART VII  
 SPECIAL APPROPRIATIONS**

**Sec. 701.** 2007 c 522 s 701 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2008) ~~(\$724,362,000)~~  
~~\$823,274,000~~  
 General Fund--State Appropriation (FY 2009) ~~(\$764,561,000)~~  
~~\$696,324,000~~  
 State Building Construction Account--State  
 Appropriation . . . . . ~~(\$8,970,000)~~  
~~\$11,970,000~~  
 Columbia River Basin Water Supply Development  
 Account--State Appropriation . . . . . \$148,000  
 Hood Canal Aquatic Rehabilitation Bond  
 Account--State Appropriation . . . . . \$23,000  
 State Taxable Building Construction  
 Account--State Appropriation . . . . . ~~(\$168,000)~~  
~~\$513,000~~  
 Gardner-Evans Higher Education Construction  
 Account--State Appropriation . . . . . ~~(\$1,790,000)~~  
~~\$1,902,000~~  
 Debt-Limit Reimbursable Bond Retire  
 Account--State Appropriation . . . . . ~~(\$2,624,000)~~  
~~\$2,589,000~~  
 TOTAL APPROPRIATION ~~(\$1,502,646,000)~~  
~~\$1,536,743,000~~

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for ((deposit)) expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2008 shall be expended into the debt-limit general fund bond retirement account by June 30, 2008.

**Sec. 702.** 2007 c 522 s 702 (uncodified) is amended to read as follows:

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

State Convention and Trade Center Account--State  
 Appropriation . . . . . ~~(\$22,553,000)~~  
~~\$22,535,000~~  
 Accident Account--State Appropriation . . . . . ~~(\$5,204,000)~~  
~~\$5,135,000~~  
 Medical Aid Account--State Appropriation . . . . . ~~(\$5,204,000)~~  
~~\$5,135,000~~  
 TOTAL APPROPRIATION . . . . . ~~(\$32,961,000)~~  
~~\$32,805,000~~

**Sec. 703.** 2007 c 522 s 703 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

General Fund--State Appropriation (FY 2008) ~~(\$27,068,000)~~  
~~\$26,848,000~~  
 General Fund--State Appropriation (FY 2009) ~~(\$27,825,000)~~  
~~\$27,728,000~~  
 Nondebt-Limit Reimbursable Bond Retirement  
 Account--State Appropriation . . . . . ~~(\$136,332,000)~~  
~~\$135,967,000~~  
 TOTAL APPROPRIATION ~~(\$191,225,000)~~  
~~\$190,543,000~~

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for ((deposit)) expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2008 shall be expended

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into the nondebt-limit general fund bond retirement account by June 30, 2008.

Sec. 704. 2007 c 522 s 704 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

Table with 2 columns: Description and Amount. Includes General Fund--State Appropriation (FY 2008) and (FY 2009), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, and TOTAL APPROPRIATION.

Sec. 705. 2007 c 522 s 705 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY POOL

Table with 2 columns: Description and Amount. Includes Disaster Response Account--State Appropriation.

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation is for the purpose of making allocations to the Washington state patrol for ((fire mobilizations costs or to the department of natural resources for fire suppression costs)) any Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 and 43.43.964.

Sec. 706. 2007 c 522 s 706 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY

Table with 2 columns: Description and Amount. Includes General Fund--State Appropriation (FY 2008) and (FY 2009), and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the disaster response account for the purposes specified in section 705 of this act.

NEW SECTION. Sec. 707. A new section is added to 2007 c 522 (uncodified) to read as follows:

FOR SUNDRY CLAIMS FOR SUNDRY CLAIMS. The following sums, or so much thereof as may be necessary, are appropriated from the general fund, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

(1) Reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110:

Table with 2 columns: Name and Amount. Includes George E. Linkenhoker, claim number SCJ 2008-01.

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Table with 2 columns: Name and Amount. Includes Charles A. Gardner, claim number SCJ 2008-02; Judd Hurst, claim number SCJ 2008-03; Thomas J. Nelson, claim number SCJ 2008-04; William R. Sauters, Jr., claim number SCJ 2008-05; Michael E. Greene, claim number SCJ 2008-06; Jeffery A. Cobb, claim number SCJ 2008-08; Robert R. Park, claim number SCJ 2008-09; Donald Willett, claim number SCJ 2008-11.

Sec. 708. 2007 c 522 s 716 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--WATER QUALITY CAPITAL ACCOUNT

Table with 2 columns: Description and Amount. Includes Water Quality Account--State Appropriation (FY 2008) and (FY 2009), and TOTAL APPROPRIATION.

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the water quality capital account. ((If House Bill No. 1137 (water quality capital account) is not enacted by June 30, 2007, the appropriation in this section shall lapse.))

Sec. 709. 2007 c 522 s 718 (uncodified) is amended to read as follows:

INCENTIVE SAVINGS--FY 2008. The sum of one hundred twenty-five million dollars or so much thereof as may be available on June 30, 2008, from the total amount of unspent fiscal year 2008 state general fund appropriations, exclusive of amounts expressly placed into unallotted status by this act, is appropriated for the purposes of RCW 43.79.460 in the manner provided in this section.

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

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

Sec. 710. 2007 c 522 s 719 (uncodified) is amended to read as follows:

INCENTIVE SAVINGS--FY 2009. The sum of one hundred twenty-five million dollars or so much thereof as may be available on June 30, 2009, from the total amount of unspent fiscal year 2009 state general fund appropriations, exclusive of amounts expressly placed into unallotted status by this act, is appropriated for the purposes of RCW 43.79.460 in the manner provided in this section.

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

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

Sec. 711. 2007 c 522 s 722 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--COUNTY SUBSTANCE ABUSE PROGRAMS

Table with 2 columns: Description and Amount. Includes General Fund--State Appropriation (FY 2008) and (FY 2009).

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	\$800,000
TOTAL APPROPRIATION . . .	(((\$1,200,000))
	\$1,400,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for allocation to counties that are eligible for funding for chemical dependency or substance abuse treatment programs pursuant to RCW 70.96A.325.

**NEW SECTION, Sec. 712.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--FEDERAL REIMBURSEMENT FOR HEALTH INSURANCE TRANSFERS**

General Fund--State Appropriation (FY 2008) . . . \$11,000,000

The appropriation in this section is subject to the following conditions and limitations: The United States department of health and human services has determined that a portion of funds transferred from the public employees' and retirees' insurance account in fiscal years 2006 and 2007, made pursuant to sections 805 and 806, chapter 372, Laws of 2006, contained federal funds that were not authorized to be included in the transfer. The appropriation in this section is provided solely to reimburse the United States department of health and human services in accordance with their determination letter that the federal funds transferred from the public employees' and retirees' insurance account were transferred in error and must be reimbursed to the United States Treasury.

**Sec. 713.** 2007 c 522 s 1621 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--TECHNOLOGY FUNDING**

General Fund--State Appropriation (FY 2007) . . . \$26,277,000

Special Technology Funding Revolving Account

Appropriation ((FY 2008)) . . . . . (((\$37,964,000))

\$35,222,000

TOTAL APPROPRIATION . . . . . (((\$64,241,000))

\$61,499,000

The appropriations in this section are provided solely for deposit to and expenditure from the data processing revolving account and are subject to the following conditions and limitations:

(1) The appropriations in this section, for expenditure to the data processing revolving account, are to be known as the "information technology funding pool" and are under the joint control of the department of information services and the office of financial management. The department of information services shall review information technology proposals and work jointly with the office of financial management to determine the projects to be funded and the amounts and timing of release of funds. To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer is directed to transfer sufficient moneys from each dedicated fund or account to the special technology funding revolving account, hereby created in the state treasury, in accordance with schedules provided by the office of financial management pursuant to LEAP Document ((FA-2007)) ITA-2008 as developed by the legislative evaluation and program committee on ((April 20, 2007, at 13:01 hours)) February 26, 2008, at 16:00 hours.

(2) In exercising this authority, the department of information services and the office of financial management shall:

(a) Seek opportunities to reduce costs and achieve economies of scale by leveraging statewide investments in systems and data and other common or enterprise-wide solutions within and across state agencies that include standard software, hardware, and other information technology systems infrastructure, and common data definitions and data stores that

promote the sharing of information across agencies whenever possible;

(b) Ensure agencies incorporate project management best practices and consider lessons learned from other information technology projects; and

(c) Develop criteria for the evaluation of information technology project funding proposals to include the determination of where common or coordinated technology or data solutions may be established, and identification of projects that cross fiscal biennia or are dependent on other prior, current, or future related investments.

(3) In allocating funds for the routine replacement of software and hardware, the information services board and office of financial management shall presume that agencies should have sufficient funding in their base allocation to pay for such replacement and that any allocations out of these funds are for extraordinary maintenance costs.

((5)) (4) Funds in the 2007-09 biennium may only be expended on the projects listed on LEAP Document ((IT-2007)) IT-2008, as generated by the legislative evaluation and accountability program committee on ((April 20, 2007, at 13:01 hours)) February 26, 2008, at 16:00 hours. Future biennia allocations from the information technology funding pool shall be determined jointly by the department of information services and the office of financial management.

((6)) (5) Beginning December 1, 2008, and every biennium thereafter, the department of information services shall submit a statewide information technology plan to the office of financial management and the legislative evaluation and accountability program committee that supports a consolidated funding request. In alternate years, a plan addendum shall be submitted that reflects any modified funding pool request requiring action in the ensuing supplemental budget session.

((7)) (6) The department of information services shall report to the office of financial management and the legislative evaluation and accountability program committee by October 1, 2007, and annually thereafter, the status of planned allocations from funds appropriated in this section.

((8)) (7) State agencies shall report project performance in consistent and comparable terms using common methodologies to calculate project performance by measuring work accomplished (scope and schedule) against work planned and project cost against planned budget. The department of information services shall provide implementation guidelines and oversight of project performance reporting.

((9)) (8) The information services board shall require all agencies receiving funds appropriated in this section to account for project expenses included in an information technology portfolio report submitted annually to the department of information services, the office of financial management, and the legislative evaluation and accountability program committee by October 1st of each year. The department of information services, with the advice and approval of the office of financial management, shall establish criteria for complete and consistent reporting of expenditures from these funds and project staffing levels.

((10)) (9) In consultation with the legislative evaluation and accountability program committee, the department of information services shall develop criteria for evaluating requests for these funds and shall report annually to the office of financial management and the legislative evaluation and accountability program committee by November 1st the status of distributions and expenditures from this pool.

**NEW SECTION, Sec. 714.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--HEALTH CARE AUTHORITY ADMINISTRATIVE ACCOUNT**

General Fund--State Appropriation (FY 2008) . . . \$2,618,000

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General Fund--State Appropriation (FY 2009) . . . . .	\$1,993,000
Public Safety and Education Account--State Appropriation (FY 2008) . . . . .	\$13,000
Public Safety and Education Account--State Appropriation (FY 2009) . . . . .	\$13,000
Water Quality Account--State Appropriation (FY 2008) . . . . .	\$4,000
Water Quality Account--State Appropriation (FY 2009) . . . . .	\$4,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2008) . . . . .	\$1,000
Violence Reduction and Drug Enforcement Account--State Appropriation (FY 2009) . . . . .	\$1,000
Health Services Account--State Appropriation (FY 2008) . . . . .	\$7,000
Health Services Account--State Appropriation (FY 2009) . . . . .	\$7,000
Dedicated Funds and Accounts Appropriation . . . . .	\$640,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>\$5,301,000</b>

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

- (1) The appropriations are provided solely for expenditure into the health care authority administrative account.
- (2) To facilitate the transfer of moneys from dedicated funds and accounts, the office of financial management shall transfer or direct the transfer of sufficient moneys from each dedicated fund or account, including local funds of state agencies and institutions of higher education, to the health care authority administrative account in accordance with LEAP document number C04-2008, dated March 10, 2008. Agencies and institutions of higher education with local funds will deposit sufficient money to the health care authority administrative account.

**Sec. 715.** 2007 c 522 s 728 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
COMMUNITY PRESERVATION AND DEVELOPMENT  
ACCOUNT**

General Fund--State Appropriation (FY 2008) . . . . . \$350,000  
The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the community preservation and development authority account. If Substitute Senate Bill No. 6156 (community preservation authorities) is not enacted by June 30, 2007, the appropriation in this section shall lapse.

**NEW SECTION, Sec. 716.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM  
ACCOUNT**

General Fund--State Appropriation (FY 2008) . . . . .	\$500,000
General Fund--State Appropriation (FY 2009) . . . . .	\$500,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>\$1,000,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the individual development account program account.

**NEW SECTION, Sec. 717.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
SKELETAL HUMAN REMAINS ASSISTANCE  
ACCOUNT**

General Fund--State Appropriation (FY 2008) . . . . . \$500,000  
The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account for purposes of Engrossed Second Substitute House Bill No. 2624 (human remains). If the bill is not enacted by June 30, 2008, the amount provided in this section shall lapse.

**NEW SECTION, Sec. 718.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
MANUFACTURING INNOVATION AND  
MODERNIZATION ACCOUNT**

General Fund--State Appropriation (FY 2009) . . . . . \$306,000  
The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the manufacturing innovation and modernization account.

**NEW SECTION, Sec. 719.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
COLUMBIA RIVER WATER DELIVERY ACCOUNT**

General Fund--State Appropriation (FY 2009) . . . . . \$2,150,000  
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the Columbia river water delivery account pursuant to Engrossed Second Substitute Senate Bill No. 6874 (Columbia river water). If the bill is not enacted by June 30, 2008, the amount provided in this section shall lapse.

**NEW SECTION, Sec. 720.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
FAMILY LEAVE INSURANCE ACCOUNT**

General Fund--State Appropriation (FY 2008) . . . . . \$6,218,000  
The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the family leave insurance account.

**NEW SECTION, Sec. 721.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
EXTRAORDINARY CRIMINAL JUSTICE COSTS**

General Fund--State Appropriation (FY 2008) . . . . . \$189,000  
The appropriation in this section is subject to the following conditions and limitations: The director of financial management shall distribute \$48,000 to Klickitat county and \$141,000 to Yakima county for extraordinary criminal justice costs.

**NEW SECTION, Sec. 722.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
DEVELOPMENTAL DISABILITIES ENDOWMENT  
TRUST FUND**

General Fund--State Appropriation (FY 2009) . . . . . \$100,000  
The appropriation in this section is subject to the following conditions and limitations: \$100,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for expenditure into the developmental disabilities endowment trust fund.

**NEW SECTION, Sec. 723.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--  
SMART HOME OWNERSHIP CHOICES PROGRAM  
ACCOUNT**

General Fund--State Appropriation (FY 2008) . . . . . \$250,000  
The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely

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for expenditure into the smart HOME OWNERSHIP choices program account for purposes of Substitute Senate Bill No. 6711 (smart HOME OWNERSHIP choices). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 724. 2007 c 522 s 713 (uncodified) is repealed.

(End of part)

**PART VIII  
OTHER TRANSFERS AND APPROPRIATIONS**

**Sec. 801.** 2007 c 522 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--STATE REVENUES  
FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premium distributions .....	<del>(\$7,325,000)</del>
	\$7,654,000
General Fund Appropriation for public utility district excise tax distributions .....	<del>(\$49,656,000)</del>
	\$47,557,000
General Fund Appropriation for prosecuting attorney distributions. <u>Of this amount, \$903,000 is provided solely for the implementation of Substitute Senate Bill No. 6297 (prosecuting attorney salaries). If the bill is not enacted by June 30, 2008, the amount provided shall lapse.</u> .....	<del>(\$3,999,000)</del>
	\$4,902,000
General Fund Appropriation for boating safety and education distributions .....	<del>(\$4,833,000)</del>
	\$4,400,000
General Fund Appropriation for other tax distributions .....	<del>(\$42,000)</del>
	\$48,000
General Fund Appropriation for habitat conservation program distributions .....	\$1,245,000
<u>Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. This amount is provided solely for implementation of Engrossed Substitute Senate Bill No. 6874 (Columbia River water delivery). If the bill is not enacted by June 30, 2008, this amount shall lapse.</u> .....	\$3,775,000
<u>Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. This amount is provided solely for implementation of Engrossed Substitute Senate Bill No. 6874 (Columbia River water delivery). If the bill is not enacted by June 30, 2008, this amount shall lapse.</u> .....	\$2,250,000
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies .....	\$2,192,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution ...	\$148,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties .....	<del>(\$89,346,000)</del>
	\$77,753,000
County Criminal Justice Assistance Appropriation .....	<del>(\$58,906,000)</del>
	\$62,127,000
Municipal Criminal Justice Assistance Appropriation .....	<del>(\$23,359,000)</del>

Liquor Excise Tax Account Appropriation for liquor excise tax distribution .....	<del>(\$45,472,000)</del>
	\$24,636,000
Liquor Revolving Account Appropriation for liquor profits distribution .....	<del>(\$93,399,000)</del>
	\$82,148,000
City-County Assistance Account Appropriation for local government financial assistance distribution; <u>PROVIDED: That the legislature, in making this appropriation for distribution under the formula prescribed in RCW 43.08.290 for the 2007-09 biennium, ratifies and approves the prior distributions, as certified by the department of revenue to the state treasurer, made for the 2005-07 biennium from the appropriation in section 801, chapter 372, Laws of 2006 as amended by section 1701, chapter 522, Laws of 2007</u> .....	<del>(\$31,272,000)</del>
	\$29,865,000

Streamline Sales and Use Tax Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistribution effect of the sourcing law changes .....	\$31,600,000
TOTAL APPROPRIATION .....	<del>(\$441,549,000)</del>
	\$431,697,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2007 c 522 s 805 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--TRANSFERS.**

State Treasurer's Service Account: For transfer to the state general fund, \$10,000,000 for fiscal year 2008 and <del>(\$10,000,000)</del> \$21,000,000 for fiscal year 2009 .....	<del>(\$20,000,000)</del>
	\$31,000,000
Education Legacy Trust Account: For transfer to the state general fund for fiscal year 2009 ...	\$67,000,000
Pension Funding Stabilization Account: For transfer to the state general fund for fiscal year 2009 .....	\$10,000,000
Economic Development Strategic Reserve Account: For transfer to the state general fund for fiscal year 2009 .....	\$4,000,000
State Convention and Trade Center Operations Account: For transfer to the state general fund on June 30, 2009 .....	\$5,000,000
State Convention and Trade Center Capital Account: For transfer to the state general fund on June 30, 2009 .....	\$52,000,000
<u>After the transfers in this section are made from the state convention and trade center operations and capital accounts, these accounts will have sufficient funds for: (1) A ten million dollar requirement for the retrofit of the museum of history and industry; (2) the requirements of RCW 67.40.040(5) and 67.40.040(6); and (3) a sufficient capital reserve. After the transfer is made, the capital reserve may be applicable for payment of debt service or operating shortfalls.</u>	
Department of Retirement Systems Expense Account: For transfer to the state general fund for fiscal year 2009 .....	\$5,000,000
General Fund: For transfer to the water quality account, \$12,200,000 for fiscal year 2008 and \$12,201,000 for fiscal year 2009 .....	\$24,401,000
Education Legacy Trust Account: For transfer	

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to the student achievement account for fiscal year 2009	\$90,800,000
Drinking Water Assistance Account: For transfer to the drinking water assistance repayment account, an amount not to exceed	\$25,000,000
Public Works Assistance Account: For transfer to the drinking water assistance account, <del>(\$3,600,000)</del> \$7,200,000 for fiscal year 2008 and \$3,600,000 for fiscal year 2009	<del>(\$7,200,000)</del> \$10,800,000
Public Works Assistance Account: For transfer to the job development account, \$25,000,000 for fiscal year 2008 and \$25,000,000 for fiscal year 2009	\$50,000,000
State Toxics Control Account: For transfer to the oil spill prevention account for fiscal year 2009	\$2,400,000
Tobacco Settlement Account: For transfer to the health services account, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account	<del>(\$165,915,000)</del> \$168,111,000
Tobacco Settlement Account: For transfer to the life sciences discovery fund, in an amount not to exceed the actual amount of the strategic contribution supplemental payment to the tobacco settlement account	\$70,000,000
Health Services Account: For transfer to the water quality account, \$3,942,500 for fiscal year 2008 and \$3,942,500 for fiscal year 2009	\$7,885,000
Health Services Account: For transfer to the violence reduction and drug enforcement account, \$3,466,000 for fiscal year 2008 and \$3,466,000 for fiscal year 2009	\$6,932,000
Health Services Account: For transfer to the tobacco prevention and control account, <del>(\$10,226,552)</del> \$10,523,000 for fiscal year 2008 and <del>(\$10,109,109)</del> \$10,168,000 for fiscal year 2009	<del>(\$20,336,000)</del> \$20,691,000
General Fund: For transfer to the streamline sales and use tax account for fiscal year 2009	\$31,600,000
<del>(If Substitute Senate Bill No. 5089 (streamlined sales tax) is not enacted by June 30, 2009, this transfer shall lapse.)</del>	
General Fund: For transfer to the health services account for fiscal year 2009	\$53,000,000
Nisqually Earthquake Account: For transfer to the disaster response account for fiscal year 2008	\$3,000,000
Public Safety and Education Account: For transfer to the state general fund for fiscal year 2009	\$6,000,000

NEW SECTION. Sec. 803. A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF REVENUE--STATE REVENUE FOR DISTRIBUTION**

General Fund Appropriation for fiscal year 2008 . . . \$422,012  
The appropriation in this section is subject to the following conditions and limitations: Revenues for the general fund are reduced to correct for a prior period distribution shortage of \$422,012. This represents one time distributions to Jefferson County in the amount of \$352,196, and Klickitat County in the amount of \$89,816, to be used in accordance with RCW 82.14.370.

(End of part)

**PART IX MISCELLANEOUS**

Sec. 901. 2007 c 522 s 910 (uncodified) is amended to read as follows:

**COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS.** Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$707 per eligible employee for fiscal year 2008. For fiscal year 2009 the monthly employer funding rate shall not exceed ~~(\$732)~~ \$561 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065, but in no case to increase the actuarial value of the plans offered as compared to the comparable plans offered to enrollees in calendar year 2007.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. From January 1, 2008, through December 31, 2008, the subsidy shall be \$164.08. Starting January 1, 2009, the subsidy shall be \$182.89 per month.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$57.71 per month beginning September 1, 2007, and ~~(\$65.97)~~ \$60.40 beginning September 1, 2008;

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$57.71 each month beginning September 1, 2007, and ~~(\$65.97)~~ \$60.40 beginning September 1, 2008, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection shall not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

Sec. 902. 2007 c 522 s 911 (uncodified) is amended to read as follows:

**COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS.** The appropriations for state agencies, including institutions of higher education are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, for represented employees outside the super coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible employee for fiscal year 2008. For fiscal year 2009 the monthly employer funding rate shall not exceed ~~(\$732)~~ \$561 per eligible employee.



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(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065, but in no case to increase the actuarial value of the plans offered as compared to the comparable plans offered to enrollees in calendar year 2007.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. From January 1, 2008, through December 31, 2008, the subsidy shall be \$164.08. Starting January 1, 2009, the subsidy shall be \$182.89 per month.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$57.71 per month beginning September 1, 2007, and (~~(\$65.97)~~) \$60.40 beginning September 1, 2008;

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$57.71 each month beginning September 1, 2007, and (~~(\$65.97)~~) \$60.40 beginning September 1, 2008, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection shall not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

**Sec. 903.** 2007 c 522 s 912 (uncodified) is amended to read as follows:

**COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION.** Collective bargaining agreements negotiated as part of the super coalition under chapter 41.80 RCW include employer contributions to health insurance premiums at 88% of the cost. Funding rates at this level are currently \$707 per month for fiscal year 2008 and (~~(\$732)~~) \$561 per month for fiscal year 2009. The agreements also include a one-time payment of \$756 for each employee who is eligible for insurance for the month of June 2007 and is covered by a 2007-2009 collective bargaining agreement negotiated pursuant to chapter 41.80 RCW, and the continuation of the salary increases that were negotiated for the twelve-month period beginning July 1, 2006, and scheduled to terminate June 30, 2007.

**Sec. 904.** 2007 c 522 s 913 (uncodified) is amended to read as follows:

**ACROSS THE BOARD SALARY ADJUSTMENTS.** Appropriations for state agency nonrepresented employee compensation adjustments in this act are sufficient for across the board adjustments.

(1) Appropriations are for a 3.2 percent salary increase effective September 1, 2007, for all classified employees, except those represented by a collective bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except the certificated employees of the state schools for the deaf and blind and employees of community and technical colleges covered by the provisions of Initiative Measure No. 732. Also included are

employees in the Washington management service, and exempt employees under the jurisdiction of the director of personnel.

The appropriations are also sufficient to fund a 3.2 percent salary increase effective September 1, 2007, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(2) Appropriations are for a 2.0 percent salary increase effective September 1, 2008, for all classified employees, except those represented by a collective bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except for the certificated employees of the state schools of the deaf and blind and employees of community and technical colleges covered by the provisions of Initiative Measure No. 732. Also included are employees in the Washington management service, and exempt employees under the jurisdiction of the director of personnel. The appropriations are also sufficient to fund a 2.0 percent salary increase effective September 1, 2008, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) No salary increase may be paid under this section to any person whose salary has been Y-rated pursuant to rules adopted by the director of personnel.

**NEW SECTION. Sec. 905.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**SUPPLEMENTAL COLLECTIVE BARGAINING AGREEMENT--TEAMSTERS.**

Appropriations in this act reflect the supplemental collective bargaining agreement reached between the governor and the brotherhood of teamsters under the provisions of chapter 41.80 RCW. Select classifications will receive wage increases effective July 1, 2008, to address recruitment and retention issues. Select employees covered under this supplemental agreement will receive targeted increases to the base salary and/or increases relating to assignment in a specific geographic work location. These provisions are in addition to the general terms of the collective bargaining agreement effective July 1, 2007.

**NEW SECTION. Sec. 906.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE GAMBLING COMMISSION--GAMBLING REVOLVING FUND.**

Pursuant to RCW 43.88.050, the gambling commission and the office of financial management may address the cash flow of the gambling revolving fund in anticipation of payments of forfeiture revenue from the federal government.

**NEW SECTION. Sec. 907.** A new section is added to 2007 c 522 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENT--CENTRAL WASHINGTON UNIVERSITY, PSE.**

Funding is provided for a collective bargaining agreement that may be reached between Central Washington University and the public school employees of Washington. Funding provided is sufficient for the 2.0% salary increase to be effective July 1, 2008, rather than September 1, 2008. If an agreement is not reached by June 30, 2008, the funding shall lapse.

**Sec. 908.** RCW 28B.105.110 and 2007 c 214 s 11 are each amended to read as follows:

(1) The GET ready for math and science scholarship account is created in the custody of the state treasurer.

(2) The board shall deposit into the account all money received for the GET ready for math and science scholarship program from appropriations and private sources. The account shall be self-sustaining.

(3) Expenditures from the account shall be used for scholarships to eligible students and for purchases of GET units. Purchased GET units shall be owned and held in trust by the board. Expenditures from the account shall be an equal match of state appropriations and private funds raised by the program administrator. During the 2007-09 fiscal biennium,

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expenditures from the account not to exceed five percent may be used by the program administrator to carry out the provisions of RCW 28B.105.090.

(4) With the exception of the operating costs associated with the management of the account by the treasurer's office as authorized in chapter 43.79A RCW, the account shall be credited with all investment income earned by the account.

(5) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW.

(6) Disbursements from the account shall be made only on the authorization of the board.

**Sec. 909.** RCW 38.52.106 and 2003 1st sp.s. c 25 s 913 are each amended to read as follows:

The Nisqually earthquake account is created in the state treasury. Moneys may be placed in the account from tax revenues, budget transfers or appropriations, federal appropriations, gifts, or any other lawful source. Moneys in the account may be spent only after appropriation. Moneys in the account shall be used only to support state and local government disaster response and recovery efforts associated with the Nisqually earthquake. During the 2003-2005 fiscal biennium, the legislature may transfer moneys from the Nisqually earthquake account to the disaster response account for fire suppression and mobilization costs. During the 2007-2009 fiscal biennium, moneys in the account may also be used to support disaster response and recovery efforts associated with flood and storm damage.

**Sec. 910.** RCW 41.45.230 and 2006 c 56 s 1 are each amended to read as follows:

The pension funding stabilization account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for payment of state government employer contributions for members of the public employees' retirement system, the teachers' retirement system, the school employees' retirement system, and the public safety employees' retirement system. During the 2007-09 fiscal biennium, expenditures from the account may also be used for payment of the retirement and annuity plans for higher education employees and for transfer into the general fund. The account may not be used to pay for any new benefit or for any benefit increase that takes effect after July 1, 2005. An increase that is provided in accordance with a formula that is in existence on July 1, 2005, is not considered a benefit increase for this purpose. Moneys in the account shall be for the exclusive use of the specified retirement systems and invested by the state investment board pursuant to RCW 43.33A.030 and 43.33A.170. For purposes of RCW 43.135.035, expenditures from the pension funding stabilization account shall not be considered a state program cost shift from the state general fund to another account.

**Sec. 911.** RCW 41.50.110 and 2005 c 518 s 923 are each amended to read as follows:

(1) Except as provided by RCW 41.50.255 and subsection (6) of this section, all expenses of the administration of the department, the expenses of administration of the retirement systems, and the expenses of the administration of the office of the state actuary created in chapters 2.10, 2.12, 41.26, 41.32, 41.40, 41.34, 41.35, 41.37, 43.43, and 44.44 RCW shall be paid from the department of retirement systems expense fund.

(2) In order to reimburse the department of retirement systems expense fund on an equitable basis the department shall ascertain and report to each employer, as defined in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, the sum necessary to defray its proportional share of the entire expense of the administration of the retirement system that the employer participates in during the ensuing biennium or fiscal year whichever may be required. Such sum is to be computed in an amount directly proportional to the estimated entire expense of the administration as the ratio of monthly salaries of the employer's members bears to the total salaries of all members in

the entire system. It shall then be the duty of all such employers to include in their budgets or otherwise provide the amounts so required.

(3) The department shall compute and bill each employer, as defined in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, at the end of each month for the amount due for that month to the department of retirement systems expense fund and the same shall be paid as are its other obligations. Such computation as to each employer shall be made on a percentage rate of salary established by the department. However, the department may at its discretion establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter.

(4) The director may adjust the expense fund contribution rate for each system at any time when necessary to reflect unanticipated costs or savings in administering the department.

(5) An employer who fails to submit timely and accurate reports to the department may be assessed an additional fee related to the increased costs incurred by the department in processing the deficient reports. Fees paid under this subsection shall be deposited in the retirement system expense fund.

(a) Every six months the department shall determine the amount of an employer's fee by reviewing the timeliness and accuracy of the reports submitted by the employer in the preceding six months. If those reports were not both timely and accurate the department may prospectively assess an additional fee under this subsection.

(b) An additional fee assessed by the department under this subsection shall not exceed fifty percent of the standard fee.

(c) The department shall adopt rules implementing this section.

(6) Expenses other than those under RCW 41.34.060(3) shall be paid pursuant to subsection (1) of this section.

(7) During the ~~((2005-2007))~~ 2007-2009 fiscal biennium, the legislature may transfer from the department of retirement systems' expense fund to the state general fund such amounts as reflect the excess fund balance of the fund.

**Sec. 912.** RCW 43.08.190 and 2005 c 518 s 925 are each amended to read as follows:

There is hereby created a fund within the state treasury to be known as the "state treasurer's service fund." Such fund shall be used solely for the payment of costs and expenses incurred in the operation and administration of the state treasurer's office.

Moneys shall be allocated monthly and placed in the state treasurer's service fund equivalent to a maximum of one percent of the trust and treasury average daily cash balances from the earnings generated under the authority of RCW 43.79A.040 and 43.84.080 other than earnings generated from investment of balances in funds and accounts specified in RCW 43.79A.040 or 43.84.092(4)((b)). The allocation shall precede the distribution of the remaining earnings as prescribed under RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a uniform allocation rate based on the appropriations for the treasurer's office.

During the ~~((2005-2007))~~ 2007-2009 fiscal biennium, the legislature may transfer from the state treasurer's service fund to the state general fund such amounts as reflect the excess fund balance of the fund.

**Sec. 913.** RCW 43.08.250 and 2007 c 522 s 950 are each amended to read as follows:

(1) The money received by the state treasurer from fees, fines, forfeitures, penalties, reimbursements or assessments by any court organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be deposited in the public safety and education account which is hereby created in the state treasury. The legislature shall appropriate the funds in the account to promote traffic safety education, highway safety, criminal justice training, crime victims' compensation, judicial education, the judicial information system, civil representation of indigent persons under RCW 2.53.030, winter recreation parking, drug court operations, and state game programs. Through the fiscal

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biennium ending June 30, 2009, the legislature may appropriate moneys from the public safety and education account for purposes of appellate indigent defense and other operations of the office of public defense, the criminal litigation unit of the attorney general's office, the treatment alternatives to street crimes program, crime victims advocacy programs, justice information network telecommunication planning, treatment for supplemental security income clients, sexual assault treatment, operations of the administrative office of the courts, security in the common schools, alternative school start-up grants, programs for disruptive students, criminal justice data collection, Washington state patrol criminal justice activities, drug court operations, unified family courts, local court backlog assistance, financial assistance to local jurisdictions for extraordinary costs incurred in the adjudication of criminal cases, domestic violence treatment and related services, the department of corrections' costs in implementing chapter 196, Laws of 1999, reimbursement of local governments for costs associated with implementing criminal and civil justice legislation, the replacement of the department of corrections' offender-based tracking system, secure and semi-secure crisis residential centers, HOPE beds, the family policy council and community public health and safety networks, the street youth program, public notification about registered sex offenders, and narcotics or methamphetamine-related enforcement, education, training, and drug and alcohol treatment services. During the 2007-2009 fiscal biennium, the legislature may transfer from the public safety and education account to the state general fund such amounts as to reflect the excess fund balance of the fund.

(2)(a) The equal justice subaccount is created as a subaccount of the public safety and education account. The money received by the state treasurer from the increase in fees imposed by sections 9, 10, 12, 13, 14, 17, and 19, chapter 457, Laws of 2005 shall be deposited in the equal justice subaccount and shall be appropriated only for:

- (i) Criminal indigent defense assistance and enhancement at the trial court level, including a criminal indigent defense pilot program;
- (ii) Representation of parents in dependency and termination proceedings;
- (iii) Civil legal representation of indigent persons; and
- (iv) Contribution to district court judges' salaries and to eligible elected municipal court judges' salaries.

(b) For the 2005-07 fiscal biennium, an amount equal to twenty-five percent of revenues to the equal justice subaccount, less one million dollars, shall be appropriated from the equal justice subaccount to the administrator for the courts for purposes of (a)(iv) of this subsection. For the 2007-09 fiscal biennium and subsequent fiscal biennia, an amount equal to fifty percent of revenues to the equal justice subaccount shall be appropriated from the equal justice subaccount to the administrator for the courts for the purposes of (a)(iv) of this subsection.

**Sec. 914.** RCW 43.330.250 and 2005 c 427 s 1 are each amended to read as follows:

(1) The economic development strategic reserve account is created in the state treasury to be used only for the purposes of this section.

(2) Only the governor, with the recommendation of the director of the department of community, trade, and economic development and the economic development commission, may authorize expenditures from the account.

(3) Expenditures from the account shall be made in an amount sufficient to fund a minimum of one staff position for the economic development commission and to cover any other operational costs of the commission.

(4) During the 2007-2009 fiscal biennium, moneys in the account may also be transferred into the state general fund.

(5) Expenditures from the account may be made to prevent closure of a business or facility, to prevent relocation of a business or facility in the state to a location outside the state, or

to recruit a business or facility to the state. Expenditures may be authorized for:

- (a) Workforce development;
- (b) Public infrastructure needed to support or sustain the operations of the business or facility; and
- (c) Other lawfully provided assistance, including, but not limited to, technical assistance, environmental analysis, relocation assistance, and planning assistance. Funding may be provided for such assistance only when it is in the public interest and may only be provided under a contractual arrangement ensuring that the state will receive appropriate consideration, such as an assurance of job creation or retention.

~~((5))~~ (6) The funds shall not be expended from the account unless:

(a) The circumstances are such that time does not permit the director of the department of community, trade, and economic development or the business or facility to secure funding from other state sources;

(b) The business or facility produces or will produce significant long-term economic benefits to the state, a region of the state, or a particular community in the state;

(c) The business or facility does not require continuing state support;

(d) The expenditure will result in new jobs, job retention, or higher incomes for citizens of the state;

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

(f) The expenditure is accompanied by private investment.

~~((6))~~ (7) No more than three million dollars per year may be expended from the account for the purpose of assisting an individual business or facility pursuant to the authority specified in this section.

~~((7))~~ (8) If the account balance in the strategic reserve account exceeds fifteen million dollars at any time, the amount in excess of fifteen million dollars shall be transferred to the education construction account.

**Sec. 915.** RCW 50.16.010 and 2007 c 327 s 4 are each amended to read as follows:

(1) There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund, an administrative contingency fund, and a federal interest payment fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable.

(2)(a) The unemployment compensation fund shall consist of:

(i) All contributions collected under RCW 50.24.010 and payments in lieu of contributions collected pursuant to the provisions of this title;

(ii) Any property or securities acquired through the use of moneys belonging to the fund;

(iii) All earnings of such property or securities;

(iv) Any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended;

(v) All money recovered on official bonds for losses sustained by the fund;

(vi) All money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended;

(vii) All money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304); and

(viii) All moneys received for the fund from any other source.

(b) All moneys in the unemployment compensation fund shall be commingled and undivided.

(3)(a) Except as provided in (b) of this subsection, the administrative contingency fund shall consist of:

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(i) All interest on delinquent contributions collected pursuant to this title;

(ii) All fines and penalties collected pursuant to the provisions of this title;

(iii) All sums recovered on official bonds for losses sustained by the fund; and

(iv) Revenue received under RCW 50.24.014.

(b) All fees, fines, forfeitures, and penalties collected or assessed by a district court because of the violation of this title or rules adopted under this title shall be remitted as provided in chapter 3.62 RCW.

(c) During the 2007-2009 biennium, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended as appropriated by the legislature for the (i) cost of the job skills program at the community and technical colleges, and (ii) reemployment services such as business and project development assistance, local economic development capacity building, and local economic development financial assistance at the department of community, trade, and economic development, and the remaining appropriation upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary solely for:

(i) The proper administration of this title and that insufficient federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(ii) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

(iii) The proper administration of this title for which compliance and audit issues have been identified that establish federal claims requiring the expenditure of state resources in resolution. Claims must be resolved in the following priority: First priority is to provide services to eligible participants within the state; second priority is to provide substitute services or program support; and last priority is the direct payment of funds to the federal government.

Money in the special account created under RCW 50.24.014(1)(a) may only be expended, after appropriation, for the purposes specified in this section and RCW 50.62.010, 50.62.020, 50.62.030, 50.24.014, 50.44.053, and 50.22.010.

**Sec. 916.** RCW 67.40.025 and 1988 ex.s. c 1 s 2 are each amended to read as follows:

All operating revenues received by the corporation formed under RCW 67.40.020 shall be deposited in the state convention and trade center operations account, hereby created in the state treasury. Moneys in the account, including unanticipated revenues under RCW 43.79.270, may be spent only after appropriation by statute, and may be used only for operation and promotion of the center. During the 2007-2009 fiscal biennium, moneys in the account may also be transferred to the state general fund.

Subject to approval by the office of financial management under RCW 43.88.260, the corporation may expend moneys for operational purposes in excess of the balance in the account, to the extent the corporation receives or will receive additional operating revenues.

As used in this section, "operating revenues" does not include any moneys required to be deposited in the state convention and trade center account.

**Sec. 917.** RCW 67.40.040 and 2007 c 228 s 106 are each amended to read as follows:

(1) The proceeds from the sale of the bonds authorized in RCW 67.40.030, proceeds of the taxes imposed under RCW 67.40.090 and 67.40.130, and all other moneys received by the state convention and trade center from any public or private

source which are intended to fund the acquisition, design, construction, expansion, exterior cleanup and repair of the Eagles building, conversion of various retail and other space to meeting rooms, purchase of the land and building known as the McKay Parcel, development of low-income housing, or renovation of the center, and those expenditures authorized under RCW 67.40.170 shall be deposited in the state convention and trade center account hereby created in the state treasury and in such subaccounts as are deemed appropriate by the directors of the corporation.

(2) Moneys in the account, including unanticipated revenues under RCW 43.79.270, shall be used exclusively for the following purposes in the following priority:

(a) For reimbursement of the state general fund under RCW 67.40.060;

(b) After appropriation by statute:

(i) For payment of expenses incurred in the issuance and sale of the bonds issued under RCW 67.40.030;

(ii) For expenditures authorized in RCW 67.40.170, and during the 2007-2009 biennium, the legislature may transfer from the state convention and trade center account to the general fund such amounts as reflect the excess fund balance in the account;

(iii) For acquisition, design, and construction of the state convention and trade center;

(iv) For debt service for the acquisition, design, and construction and retrofit of the museum of history and industry museum property or other future expansions of the convention center as approved by the legislature; and

(v) For reimbursement of any expenditures from the state general fund in support of the state convention and trade center; and

(c) For transfer to the state convention and trade center operations account.

(3) The corporation shall identify with specificity those facilities of the state convention and trade center that are to be financed with proceeds of general obligation bonds, the interest on which is intended to be excluded from gross income for federal income tax purposes. The corporation shall not permit the extent or manner of private business use of those bond-financed facilities to be inconsistent with treatment of such bonds as governmental bonds under applicable provisions of the Internal Revenue Code of 1986, as amended.

(4) In order to ensure consistent treatment of bonds authorized under RCW 67.40.030 with applicable provisions of the Internal Revenue Code of 1986, as amended, and notwithstanding RCW 43.84.092, investment earnings on bond proceeds deposited in the state convention and trade center account in the state treasury shall be retained in the account, and shall be expended by the corporation for the purposes authorized under chapter 386, Laws of 1995 and in a manner consistent with applicable provisions of the Internal Revenue Code of 1986, as amended.

(5) Subject to the conditions in subsection (6) of this section, starting in fiscal year 2008, the state treasurer shall transfer:

(a) The sum of four million dollars, or as much as may be available pursuant to conditions set forth in this section, from the state convention and trade center account to the tourism enterprise account, with the maximum transfer being four million dollars per fiscal year; and

(b) The sum of five hundred thousand dollars, or as much as may be available pursuant to conditions set forth in this section, from the state convention and trade center account to the tourism development and promotion account, with the maximum transfer being five hundred thousand dollars per fiscal year.

(6)(a) Funds required for debt service payments and reserves for bonds issued under RCW 67.40.030; for debt service authorized under RCW 67.40.170; and for the issuance and sale of financial instruments associated with the acquisition, design, construction, and retrofit of the museum of history and industry

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museum property or for other future expansions of the center, as approved by the legislature, shall be maintained within the state convention and trade center account.

(b) No less than six million one hundred fifty thousand dollars per year shall be retained in the state convention and trade center account for funding capital maintenance as required by the center's long-term capital plan, facility enhancements, unanticipated replacements, and operating reserves for the convention center operation. This amount shall be escalated annually as follows:

(i) Four percent for annual inflation for capital maintenance, repairs, and replacement;

(ii) An additional two percent for enhancement to the facility; and

(iii) An additional three percent for growth in expenditure due to aging of the facility and the need to maintain an operating reserve.

(c) Sufficient funds shall be reserved within the state convention and trade center account to fund operating appropriations for the annual operation of the convention center.

**Sec. 918.** RCW 70.96A.350 and 2003 c 379 s 11 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance abuse treatment and treatment support services for offenders with an addiction or a substance abuse problem that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; ~~(and)~~ (b) the provision of drug and alcohol treatment services and treatment support services for nonviolent offenders within a drug court program; and (c) during the 2007-2009 biennium, operation of the integrated crisis response and intensive case management pilots contracted with the department of social and health services division of alcohol and substance abuse. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance abuse treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance abuse treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal biennium beginning July 1, 2003, the state treasurer shall transfer eight million nine hundred fifty thousand dollars from the general fund into the criminal justice treatment account, divided into eight equal quarterly payments. For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) For the fiscal biennium beginning July 1, 2003, and each biennium thereafter, the state treasurer shall transfer two million nine hundred eighty-four thousand dollars from the general fund into the violence reduction and drug enforcement account, divided into eight quarterly payments. The amounts transferred pursuant to this subsection (4)(b) shall be used solely for providing drug and alcohol treatment services to offenders

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confined in a state correctional facility who are assessed with an addiction or a substance abuse problem that if not treated would result in addiction.

(c) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the division of alcohol and substance abuse for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the division of alcohol and substance abuse from the criminal justice treatment account shall be distributed as specified in this subsection. The department shall serve as the fiscal agent for purposes of distribution. Until July 1, 2004, the department may not use moneys appropriated from the criminal justice treatment account for administrative expenses and shall distribute all amounts appropriated under subsection (4)(c) of this section in accordance with this subsection. Beginning in July 1, 2004, the department may retain up to three percent of the amount appropriated under subsection (4)(c) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the division from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the sentencing guidelines commission, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance abuse treatment providers, and any other person deemed by the division to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the division from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The division shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance abuse treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 70.96A.090 and treatment support services. No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

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(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.28.170(3)(b).

**Sec. 919.** RCW 70.105D.070 and 2007 c 341 s 30 are each amended to read as follows:

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

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

(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

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

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

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

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

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

(vii) Hazardous materials emergency response training;

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

(ix) Programs authorized under chapter 70.146 RCW;

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

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

(xii) Development and demonstration of alternative management technologies designed to carry out the top two hazardous waste management priorities of RCW 70.105.150.

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

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

(i) Remedial actions;

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

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

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

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

(b) Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that is a Puget Sound partner, as defined in RCW 90.71.010, along with any project that is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, shall, except as conditioned by RCW 70.105D.120, receive priority for any available funding for any grant or funding programs or sources that use a competitive bidding process.

(c) Funds may also be appropriated to the department of health to implement programs to reduce testing requirements under the federal safe drinking water act for public water systems. The department of health shall reimburse the account from fees assessed under RCW 70.119A.115 by June 30, 1995.

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

(5) One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. However, during the 1999-2001 fiscal biennium, funding may not be granted to entities engaged in lobbying activities, and applicants may not be awarded grants if their cumulative grant awards under this section exceed two hundred thousand dollars. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

(6) No moneys deposited into either the state or local toxics control account may be used for solid waste incinerator feasibility studies, construction, maintenance, or operation, or, after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

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

(8) During the 2007-2009 fiscal biennium, the local toxics control account may also be used for a standby rescue tug at Neah Bay.

**Sec. 920.** RCW 70.105D.070 and 2007 c 446 s 2 are each amended to read as follows:

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

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

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(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

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

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

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

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

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

(vii) Hazardous materials emergency response training;

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

(ix) Programs authorized under chapter 70.146 RCW;

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

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

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

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

(a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority: (i) Remedial actions; (ii) hazardous waste plans and programs under chapter 70.105 RCW; (iii) solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW; (iv) funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and (v) cleanup and disposal of hazardous substances from abandoned or derelict vessels that pose a threat to human health or the environment. For purposes of this subsection (3)(a)(v), "abandoned or derelict vessels" means vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel. Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW. During the 1999-2001 fiscal biennium, moneys in the account may also be used for the following activities: Conducting a study of whether dioxins occur in fertilizers, soil amendments, and soils; reviewing applications for registration of fertilizers; and conducting a study of plant uptake of metals. During the 2005-2007 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as specified in the omnibus capital budget bill. During the 2005-2007 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.

(b) Funds may also be appropriated to the department of health to implement programs to reduce testing requirements

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under the federal safe drinking water act for public water systems. The department of health shall reimburse the account from fees assessed under RCW 70.119A.115 by June 30, 1995.

(c) To expedite cleanups throughout the state, the department shall partner with local communities and liable parties for cleanups. The department is authorized to use the following additional strategies in order to ensure a healthful environment for future generations:

(i) The director may alter grant-matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of vacant, orphaned, or abandoned property under RCW 70.105D.040(5) that would not otherwise occur;

(ii) The use of outside contracts to conduct necessary studies;

(iii) The purchase of remedial action cost-cap insurance, when necessary to expedite multiparty clean-up efforts.

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

(5) One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. However, during the 1999-2001 fiscal biennium, funding may not be granted to entities engaged in lobbying activities, and applicants may not be awarded grants if their cumulative grant awards under this section exceed two hundred thousand dollars. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

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

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

(8) During the 2005-2007 fiscal biennium, the legislature may transfer from the state toxics control account to the water quality account such amounts as reflect the excess fund balance of the fund.

(9) During the 2007-2009 fiscal biennium, the local toxics control account may also be used for a standby rescue tug at Neah Bay.

**Sec. 921.** RCW 70.105D.070 and 2007 c 522 s 954 and 2007 c 520 s 6033 are each reenacted and amended to read as follows:

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

(2) The following moneys shall be deposited into the state toxics control account: (a) Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-three one-hundredths of one percent; (b) the costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (c) penalties collected or recovered under this chapter; and (d) any other money appropriated or transferred to the account by the legislature. Moneys in the account may be used only to carry

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out the purposes of this chapter, including but not limited to the following activities:

(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

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

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

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

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

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

(vii) Hazardous materials emergency response training;

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

(ix) Programs authorized under chapter 70.146 RCW;

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

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

(xii) Development and demonstration of alternative management technologies designed to carry out the top two hazardous waste management priorities of RCW 70.105.150.

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

(a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority: (i) Remedial actions; (ii) hazardous waste plans and programs under chapter 70.105 RCW; (iii) solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW; (iv) funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and (v) cleanup and disposal of hazardous substances from abandoned or derelict vessels that pose a threat to human health or the environment. For purposes of this subsection (3)(a)(v), "abandoned or derelict vessels" means vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel. Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW. During the 1999-2001 fiscal biennium, moneys in the account may also be used for the following activities: Conducting a study of whether dioxins occur in fertilizers, soil amendments, and soils; reviewing applications for registration of fertilizers; and conducting a study of plant uptake of metals. During the 2005-2007 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as specified in the omnibus capital budget bill. During the 2007-2009 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.

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(b) Funds may also be appropriated to the department of health to implement programs to reduce testing requirements under the federal safe drinking water act for public water systems. The department of health shall reimburse the account from fees assessed under RCW 70.119A.115 by June 30, 1995.

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

(5) One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. However, during the 1999-2001 fiscal biennium, funding may not be granted to entities engaged in lobbying activities, and applicants may not be awarded grants if their cumulative grant awards under this section exceed two hundred thousand dollars. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

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

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

(8) During the 2007-2009 fiscal biennium, the local toxics control account may also be used for a standby rescue tug at Neah Bay.

**Sec. 922.** RCW 74.08A.340 and 2007 c 522 s 957 are each amended to read as follows:

The department of social and health services shall operate the Washington WorkFirst program authorized under RCW 74.08A.200 through 74.08A.330, 43.330.145, ~~((74.13.0903))~~ 43.215.545, and 74.25.040, and chapter 74.12 RCW within the following constraints:

(1) The full amount of the temporary assistance for needy families block grant, plus qualifying state expenditures as appropriated in the biennial operating budget, shall be appropriated to the department each year in the biennial appropriations act to carry out the provisions of the program authorized in RCW 74.08A.200 through 74.08A.330, 43.330.145, ~~((74.13.0903))~~ 43.215.545, and 74.25.040, and chapter 74.12 RCW.

(2)(a) The department may expend funds defined in subsection (1) of this section in any manner that will effectively accomplish the outcome measures defined in RCW 74.08A.410 with the following exception: Beginning with the 2007-2009 biennium, funds that constitute the working connections child care program, child care quality programs, and child care licensing functions.

(b) Beginning in the 2007-2009 fiscal biennium, the legislature shall appropriate and the departments of early learning and social and health services shall expend funds defined in subsection (1) of this section that constitute the working connections child care program, child care quality programs, and child care licensing functions in a manner that is consistent with the outcome measures defined in RCW 74.08A.410.

(c) No more than fifteen percent of the amount provided in subsection (1) of this section may be spent for administrative purposes. For the purpose of this subsection, "administrative purposes" does not include expenditures for information technology and computerization needed for tracking and monitoring required by P.L. 104-193. The department shall not increase grant levels to recipients of the program authorized in



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RCW 74.08A.200 through 74.08A.330 and 43.330.145 and chapter 74.12 RCW, except as authorized in the omnibus appropriations act for the 2007-2009 biennium.

(3) The department shall implement strategies that accomplish the outcome measures identified in RCW 74.08A.410 that are within the funding constraints in this section. Specifically, the department shall implement strategies that will cause the number of cases in the program authorized in RCW 74.08A.200 through 74.08A.330 and 43.330.145 and chapter 74.12 RCW to decrease by at least fifteen percent during the 1997-99 biennium and by at least five percent in the subsequent biennium. The department may transfer appropriation authority between funding categories within the economic services program in order to carry out the requirements of this subsection.

(4) The department shall monitor expenditures against the appropriation levels provided for in subsection (1) of this section. The department shall quarterly make a determination as to whether expenditure levels will exceed available funding and communicate its finding to the legislature. If the determination indicates that expenditures will exceed funding at the end of the fiscal year, the department shall take all necessary actions to ensure that all services provided under this chapter shall be made available only to the extent of the availability and level of appropriation made by the legislature.

**Sec. 923.** RCW 77.32.010 and 2006 c 57 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, a recreational license issued by the director is required to hunt for or take wild animals or wild birds, fish for, take, or harvest fish, shellfish, and seaweed. A recreational fishing or shellfish license is not required for carp, smelt, and crawfish, and a hunting license is not required for bullfrogs.

(2) A permit issued by the department is required to park a motor vehicle upon improved department access facilities.

(3) During the 2007-09 fiscal biennium to enable the implementation of the pilot project established in section 307 of this act, a fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirements in subsection (1) of this section on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods, and a Colville Tribes tribal member identification card shall satisfy the license requirements in subsection (1) of this section on all waters of Lake Rufus Woods.

**Sec. 924.** RCW 83.100.230 and 2005 c 514 s 1101 are each amended to read as follows:

The education legacy trust account is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for deposit into the student achievement fund and for expanding access to higher education through funding for new enrollments and financial aid, and other educational improvement efforts. During the 2007-2009 fiscal biennium, moneys in the account may also be transferred into the state general fund.

**Sec. 925.** RCW 90.48.390 and 1991 sp.s. c 13 s 84 are each amended to read as follows:

The coastal protection fund is established to be used by the department as a revolving fund for carrying out the purposes of restoration of natural resources under this chapter and chapter 90.56 RCW. To this fund there shall be credited penalties, fees, damages, charges received pursuant to the provisions of this chapter and chapter 90.56 RCW, compensation for damages received under this chapter and chapter 90.56 RCW, and an amount equivalent to one cent per gallon from each marine use refund claim under RCW 82.36.330.

Moneys in the fund not needed currently to meet the obligations of the department in the exercise of its powers, duties, and functions under RCW 90.48.142, 90.48.366, 90.48.367, and 90.48.368 shall be deposited with the state treasurer to the credit of the fund. During the 2007-2009 fiscal

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biennium, the coastal protection fund may also be used for a standby rescue tug at Neah Bay.

**Sec. 926.** RCW 90.71.310 and 2007 c 341 s 13 are each amended to read as follows:

(1) The council shall develop a science-based action agenda that leads to the recovery of Puget Sound by 2020 and achievement of the goals and objectives established in RCW 90.71.300. The action agenda shall:

(a) Address all geographic areas of Puget Sound including upland areas and tributary rivers and streams that affect Puget Sound;

(b) Describe the problems affecting Puget Sound's health using supporting scientific data, and provide a summary of the historical environmental health conditions of Puget Sound so as to determine past levels of pollution and restorative actions that have established the current health conditions of Puget Sound;

(c) Meet the goals and objectives described in RCW 90.71.300, including measurable outcomes for each goal and objective specifically describing what will be achieved, how it will be quantified, and how progress towards outcomes will be measured. The action agenda shall include near-term and long-term benchmarks designed to ensure continuous progress needed to reach the goals, objectives, and designated outcomes by 2020. The council shall consult with the panel in developing these elements of the plan;

(d) Identify and prioritize the strategies and actions necessary to restore and protect Puget Sound and to achieve the goals and objectives described in RCW 90.71.300;

(e) Identify the agency, entity, or person responsible for completing the necessary strategies and actions, and potential sources of funding;

(f) Include prioritized actions identified through the assembled proposals from each of the seven action areas and the identification and assessment of ecosystem scale programs as provided in RCW 90.71.260;

(g) Include specific actions to address aquatic rehabilitation zone one, as defined in RCW 90.88.010;

(h) Incorporate any additional goals adopted by the council; and

(i) Incorporate appropriate actions to carry out the biennial science work plan created in RCW 90.71.290.

(2) In developing the action agenda and any subsequent revisions, the council shall, when appropriate, incorporate the following:

(a) Water quality, water quantity, sediment quality, watershed, marine resource, and habitat restoration plans created by governmental agencies, watershed groups, and marine and shoreline groups. The council shall consult with the board in incorporating these plans;

(b) Recovery plans for salmon, orca, and other species in Puget Sound listed under the federal endangered species act;

(c) Existing plans and agreements signed by the governor, the commissioner of public lands, other state officials, or by federal agencies;

(d) Appropriate portions of the Puget Sound water quality management plan existing on July 1, 2007.

(3) Until the action agenda is adopted, the existing Puget Sound management plan and the 2007-09 Puget Sound biennial plan shall remain in effect. The existing Puget Sound management plan shall also continue to serve as the comprehensive conservation and management plan for the purposes of the national estuary program described in section 320 of the federal clean water act, until replaced by the action agenda and approved by the United States environmental protection agency as the new comprehensive conservation and management plan.

(4) The council shall adopt the action agenda by ~~(September)~~ December 1, 2008. The council shall revise the action agenda as needed, and revise the implementation strategies every two years using an adaptive management process informed by tracking actions and monitoring results in

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Puget Sound. In revising the action agenda and the implementation strategies, the council shall consult the panel and the board and provide opportunity for public review and comment. Biennial updates shall:

(a) Contain a detailed description of prioritized actions necessary in the biennium to achieve the goals, objectives, outcomes, and benchmarks of progress identified in the action agenda;

(b) Identify the agency, entity, or person responsible for completing the necessary action; and

(c) Establish biennial benchmarks for near-term actions.

(5) The action agenda shall be organized and maintained in a single document to facilitate public accessibility to the plan.

**Sec. 927.** RCW 90.71.370 and 2007 c 341 s 19 are each amended to read as follows:

(1) By December 1, 2008, and by September 1st of each even-numbered year beginning in ~~((2008))~~ 2010, the council shall provide to the governor and the appropriate fiscal committees of the senate and house of representatives its recommendations for the funding necessary to implement the action agenda in the succeeding biennium. The recommendations shall:

(a) Identify the funding needed by action agenda element;

(b) Address funding responsibilities among local, state, and federal governments, as well as nongovernmental funding; and

(c) Address funding needed to support the work of the partnership, the panel, the ecosystem work group, and entities assisting in coordinating local efforts to implement the plan.

(2) In the 2008 report required under subsection (1) of this section, the council shall include recommendations for projected funding needed through 2020 to implement the action agenda; funding needs for science panel staff; identify methods to secure stable and sufficient funding to meet these needs; and include proposals for new sources of funding to be dedicated to Puget Sound protection and recovery. In preparing the science panel staffing proposal, the council shall consult with the panel.

(3) By November 1st of each odd-numbered year beginning in 2009, the council shall produce a state of the Sound report that includes, at a minimum:

(a) An assessment of progress by state and nonstate entities in implementing the action agenda, including accomplishments in the use of state funds for action agenda implementation;

(b) A description of actions by implementing entities that are inconsistent with the action agenda and steps taken to remedy the inconsistency;

(c) The comments by the panel on progress in implementing the plan, as well as findings arising from the assessment and monitoring program;

(d) A review of citizen concerns provided to the partnership and the disposition of those concerns;

(e) A review of the expenditures of funds to state agencies for the implementation of programs affecting the protection and recovery of Puget Sound, and an assessment of whether the use of the funds is consistent with the action agenda; and

(f) An identification of all funds provided to the partnership, and recommendations as to how future state expenditures for all entities, including the partnership, could better match the priorities of the action agenda.

(4)(a) The council shall review state programs that fund facilities and activities that may contribute to action agenda implementation. By November 1, 2009, the council shall provide initial recommendations regarding program changes to the governor and appropriate fiscal and policy committees of the senate and house of representatives. By November 1, 2010, the council shall provide final recommendations regarding program changes, including proposed legislation to implement the recommendation, to the governor and appropriate fiscal and policy committees of the senate and house of representatives.

(b) The review in this subsection shall be conducted with the active assistance and collaboration of the agencies administering

these programs, and in consultation with local governments and other entities receiving funding from these programs:

(i) The water quality account, chapter 70.146 RCW;

(ii) The water pollution control revolving fund, chapter 90.50A RCW;

(iii) The public works assistance account, chapter 43.155 RCW;

(iv) The aquatic lands enhancement account, RCW 79.105.150;

(v) The state toxics control account and local toxics control account and clean-up program, chapter 70.105D RCW;

(vi) The acquisition of habitat conservation and outdoor recreation land, chapter 79A.15 RCW;

(vii) The salmon recovery funding board, RCW 77.85.110 through 77.85.150;

(viii) The community economic revitalization board, chapter 43.160 RCW;

(ix) Other state financial assistance to water quality-related projects and activities; and

(x) Water quality financial assistance from federal programs administered through state programs or provided directly to local governments in the Puget Sound basin.

(c) The council's review shall include but not be limited to:

(i) Determining the level of funding and types of projects and activities funded through the programs that contribute to implementation of the action agenda;

(ii) Evaluating the procedures and criteria in each program for determining which projects and activities to fund, and their relationship to the goals and priorities of the action agenda;

(iii) Assessing methods for ensuring that the goals and priorities of the action agenda are given priority when program funding decisions are made regarding water quality-related projects and activities in the Puget Sound basin and habitat-related projects and activities in the Puget Sound basin;

(iv) Modifying funding criteria so that projects, programs, and activities that are inconsistent with the action agenda are ineligible for funding;

(v) Assessing ways to incorporate a strategic funding approach for the action agenda within the outcome-focused performance measures required by RCW 43.41.270 in administering natural resource-related and environmentally based grant and loan programs.

**NEW SECTION. Sec. 928.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 929.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of part)

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On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 28B.105.110, 38.52.106, 41.45.230, 41.50.110, 43.08.190, 43.08.250, 43.330.250, 50.16.010, 67.40.025, 67.40.040, 70.96A.350, 70.105D.070, 70.105D.070, 74.08A.340, 77.32.010, 83.100.230, 90.48.390, 90.71.310, and 90.71.370; reenacting and amending RCW 70.105D.070; amending 2007 c 522 ss 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 511, 513, 514, 515, 516, 517, 519, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 703, 704, 705, 706, 716, 718, 719, 722, 1621, 728, 801, 805, 910, 911, 912, and 913 (uncodified); adding new sections to 2007 c 522 (uncodified); repealing 2007 c 522 s 713 (uncodified); making appropriations; and declaring an emergency."  
And the bill do pass as recommended by the conference committee.

Signed by Senators Prentice and Pridemore; Representatives Sommers and Dunshee.

MOTION

Senator Prentice moved that the Report of the Conference Committee on Engrossed Substitute House Bill No. 2687 be adopted.

Senators Prentice, Hargrove, McAuliffe, Keiser, Eide and Pridemore spoke in favor of passage of the motion.

Senators Holmquist, Carrell, Pflug and Parlette spoke against passage of the motion.

POINT OF INQUIRY

Senator Brown: "Would Senator Pridemore yield to two questions? Senator Pridemore, I see that this budget includes sixty-two thousand dollars for the institute for Public Policy and Economic Analysis at Eastern Washington University to study potential changes in the Eastern Washington Health Care delivery system. What specifically is the purpose of that study?"

Senator Pridemore: "Thank you for asking Senator Brown. The purpose of the study to establish a base line against which future changes in the Spokane County Health Care system can be measured. This assessment shall include an assessment of current health care delivery, charity care, education and work force assets available to address the changing health care needs of Spokane County. The analysis and resulting report will be designed to provide the critical initial bench marks in the areas of study and the foundation for future updates comparisons and subject specific, focus assessments and action plans. The report may be used to direct public health care policy and funding to improve community wellness in Spokane County."

Senator Brown: "Thank you Senator Pridemore. When is the study to be completed?"

Senator Pridemore: "It is to be completed by March of 2009."

Senator Brown spoke in favor of the motion. Senators Zarelli, Delvin, Hewitt and Schoesler spoke on the motion.

The President declared the question before the Senate to be the motion by Senator Prentice that the Report of the Conference Committee on Engrossed Substitute House Bill No. 2687 be adopted.

The motion by Senator Prentice carried and the Report of the Conference Committee was adopted by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2687, as recommended by the Conference Committee.

Senator Pflug spoke against passage of the bill.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2687, as recommended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Berkey, Brown, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Shin, Spanel, Tom and Weinstein - 31

Voting nay: Senators Benton, Brandland, Carrell, Delvin, Hewitt, Holmquist, Honeyford, King, McCaslin, Morton, Parlette, Pflug, Roach, Schoesler, Sheldon, Stevens, Swecker and Zarelli - 18

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2687, as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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On motion of Senator Eide, Engrossed Substitute House Bill No. 2687 was immediately transmitted to the House of Representatives.

## PERSONAL PRIVILEGE

Senator Brown: "Thank you Mr. President, speaking of where that bill just went I can't help but notice that one of the most distinguished, respected legislators I've ever served with is accompanying you on the rostrum. As Representative Helen Sommers takes her most deserved retirement I want to take this opportunity to say an incredible thank you on behalf of the service that you've given to the people of the State of Washington. I want to tell you on a personal note that I have learned so much from you. I've learned from your dignity I've learned from your tenacity. I've learned from your ability to delve into the deepest, darkest detail of the state budgeting process. I've learned of your willingness to stand up against the more popular or politically advantageous forces on behalf of preserving budget capacity. I've also learned from you as a woman legislator and so I simply want to say that, though we've been adversaries and we've been allies, I've always considered us friends and in the pantheon of the legislators who leave an enduring mark on the State of Washington there are few female faces but yours is prominent and, although you are small in stature, you are a giant among people who contributed to the State of Washington. Thank you very much."

## PERSONAL PRIVILEGE

Senator McCaslin: "I've been here twenty-eight years and you've been here thirty-five. We have never spoken, which is perhaps a blessing for one of us. I want to say, never haven spoken, I want to say that I concur with what Senator Brown said. From afar I have admired you even though you didn't know this but in total respect for you, for all of the years that you spent I'm sure you had black hair when you got here. I had hair when I got here but I do admire you tremendously for what you've gone through and you are a blessing to your constituents, number one, and to the State of Washington, number two. Thank you for all of your many years of service."

## PERSONAL PRIVILEGE

Senator Hargrove: "Thank you Mr. President. Well, we have affectionately referred to Helen as 'Darth Helen' and we learned to never ask her a question because the only answer was 'NO.' It is with real affection that I remember an amendment for the Seventh Street Theater in the House back in, I think, 1988 which was the first time she ever lost an amendment on the Capitol Budget and that it's been in the budget ever since as a matter of fact. So, but, Helen we really appreciate the incredible skill with which you have worked these budget issues over the years and, this was mentioned before, have stood up to many powerful interests to try to do the right thing for the citizens of the State of Washington. We're going to miss you a great deal."

## PERSONAL PRIVILEGE

Senator Spanel: "I, of course, met Helen when I came to the House many years ago, not as long ago as she did definitely. But I think one of the things in my early years in the House I was appointed to the Pension Policy Committee and I can tell you, many of you see my votes on this floor a little different than yours, but I got a lot of training from Helen and I think one of

the things that I learned in those years is you can never take away what you give and so I'm very conservative on some of those issues because I know that we have to be able to provide the money. I thank Helen for giving me that early training and it stuck with me because I'm with you and I also appreciate the fact that early on that also she introduced another senator and myself to where the best oysters in town can be eaten so thank you very much for your years of service. Much appreciated."

## PERSONAL PRIVILEGE

Senator Stevens: "I remember as a much younger legislator in the House when I was seated next to whose now also a Senator, Senator Morton and we were visiting and he said, 'Shhhh', listen, listen' and I said, 'But there's not, Helen is standing but its all so quiet' and he said 'That's my point. When Helen speaks everyone listens; I've learned so much from that because she's couched her words very carefully she was purposeful in what she said and what she said had meaning and people listened because they knew that when she was speaking it was important. I've learned a lot from you Helen and I appreciate that. It was many, many years ago. You had no idea how we were watching what you were saying or not saying. I appreciate you very much and God Bless you in your future retirement."

## PERSONAL PRIVILEGE

Senator McDermott: "Well, first of all, Senator Hatfield implored me to begin by letting everyone know that the four of us in the back corner back here, actually, three of us, were born when Representative Sommers was elected to the Legislature. However, I rise to share my own comments and not those of Senator Hatfield. As you know this is my first year in the Senate. I've served seven years, the previous seven years in the House and one of the greatest accomplishments for me, my proudest moment perhaps in the House, was during my second term. I think it was the second year of my second term when I realized that Representative Sommers had actually learned my name. It was the following term before as a budget analyst was, I was elected to the Legislature that actually was appointed to a seat on the Appropriations Committee. I think they were afraid to let a budget analyst onto the Appropriations Committee. It was a great pleasure to serve on that Committee, to watch the Chair work, to learn from her as already been spoken of her knowledge of the budgeting process, the integrity with which she brings to it and the way she can work with the stake holders needs across the state and weigh those against our future needs. I think my greatest accomplishments in working with her in the Appropriations budget was actually by lobbying her over breakfast repeatedly in the Members' Dining Room to fund school breakfast programs for students. I thought it was effective lobbying. You find her in the cafeteria every morning. You can talk to her. We've also shared several meals in her living room, usually pizza and beer, scheming about something with several other colleagues. Some of those have been quite successful and I paid a political price for some of those other conversations, I don't regret any of them. It's been an honor, Representative Sommers, to serve with you but even more of an honor to enjoy dinners in on a regular basis. Congratulations on your retirement."

## PERSONAL PRIVILEGE

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Senator Murray: “Thank you Mr. President. Well, I served with Helen for eleven years in the House. We sat near each other on the floor during those eleven years and there are two thoughts that I want to share with you. First of all, we know Helen’s tough and when I became a brand new Capitol Budget Chair and was having a little trouble with leadership, Helen taught me how to be tough with leadership and it worked. And it worked when I went on to the Transportation Chairmanship as well. I learned how to write budgets as a chair from Helen Sommers. The second thing is, there were times on the floor in the ‘90’s that we debated some very difficult subjects for me personally and Helen is not only tough but she’s incredibly compassionate and after those debates, before those debates and after those debates Helen’s warmth, caring and compassion to me personally is something I will always remember and I think it’s an important part of Helen that we sometimes don’t talk about because she is so tough. So Helen thank you for your friendship, for your mentor ship and for your service to this state.”

## PERSONAL PRIVILEGE

Senator Fraser: “Thank you Mr. President. Well, I met Helen Sommers before she was even a legislator and it was some time in the early ‘70’s where we were both actively engaged in efforts to advance the status of women and she was a true leader in that. Then later on, to my surprise, I became a legislator and in the other body served on a Capitol Budget that she chaired and I learned a lot about how to approach Capitol Budget and never dreamed I’d end up chairing the Capitol Budget in the Senate so many years later. Then we served on the Pension Committee together as others have mentioned. Just a tremendous leader on pensions and we’ve all learned so much about fiscal responsibilities from Helen, being such a role model. Helen will not be here voting next session but Helen’s views I think will still be here. Helen leaves a great legacy and I think we’ll all be asking, ‘What would Helen say?’”

## PERSONAL PRIVILEGE

Senator Haugen: “Thank you Mr. President. Well I too want to say thank you to Helen. I probably wouldn’t be here today without her. Back in the ‘80’s women were looking at running for office. It was kind of hard and we didn’t always get a lot of encouragement but that’s one thing Helen did. She encouraged women at that point to become leaders and she’s been a great role model and a good mentor to all of us. But, I want to tell you a little story about Helen that’s kind of a personal story. We have this group called the Steelhead fishing group up in Skagit County and they’ve been trying to get some money for hatchery and we finally convinced Helen to go up and go fishing with these guys. It was a great experience. Helen learned what it was like to be in Sedro Wooley and Marble Mountain and some of those wonderful places but, more than anything else, Helen really showed those men that Helen was a real true person because often times she’s kind of known as kind of women who says no to everything but she laughed at how she had a good time that day and she really did show these citizens that yes legislators do listen to you. Yes, legislators are real people. Yes, legislators care about you and Helen thank you. We’ll miss you.”

## PERSONAL PRIVILEGE

Senator Pflug: “Thank you Mr. President. Well, I also rise to honor someone whom I considered to be one of the great ladies of the legislature. I arrived in Olympia with a respect for Helen who was on the other side of the aisle because my first seat mate, Representative Brian Thomas. ‘You watch her. She is brilliant and fair and if you need something just go talk to Helen she will she’ll teach you.’ We have, and I have found that to be true. We have not always agreed and at least one of those times I was wrong but we often have. It’s just been a joy to serve with you and to watch the grace with which you have conducted yourself here in an environment where that’s not always easy. Everyone will connect the word integrity with you both for courage and for truthfulness. I have also appreciated your passion and your vision for Higher Education and think that is one of the legacies that you leave behind as well. So, I wish you much happiness in all that you do. Thank you Mr. President.”

## PERSONAL PRIVILEGE

Senator Jacobsen: “I think I met Helen about 1982 when her and Seth Armstrong were my mentors when I was running for office. Then I heard the story about how Helen got elected the first time in her district she was the first Democrat and the first woman and we decided they could, and the incumbent flipped over to take Helen out next time. He didn’t realize what a tough race he had and he lost the race. And then the other great time I had with Helen, I stood firmly on her side when Service Employees International Union decided she wasn’t dutiful enough and that was a hell of a campaign. They must spent a half million bucks against you. There were door bellers everywhere and I couldn’t believe how energetic you were. In one of your posters you put out was ‘Unbought and unbowed’ and one of my treasured memories of this place and I have it framed in my office if any body wants to see. She signed it ‘unbought, unbossed and unbowed’. And your going to leave unbowed. You got a lot to be proud of.”

## PERSONAL PRIVILEGE

Senator Parlette: “Thank you very much. Well I just want to talk about two things with Representative Helen Sommers. First of all, I will never forget as a freshman in the House of Representatives and serving on the Appropriations Committee how she immediately reached out to me. When you’re brand new you don’t forget who first comes up to you and Helen Sommers happened to be that person. And secondly, I don’t know of how many of you had the opportunity, in Helen’s life she has a real passion for geology and I didn’t know that until I just happened to talk about the Ice Age flood because in my district that is a big thing. If you’ve been to the museum at Dry Falls and Helen has such a passion you could sit there for an hour, two hours she has all this knowledge in her head and so what I’d like to say Helen is I hope that when you have more free time you will continue to visit Eastern Washington, specifically my district which is full of erratic and I know you know what those are and I hope I get that opportunity to see you in my district. Thank you.”

## REMARKS BY THE PRESIDENT

President Owen: “And Senator Carrell would like to talk to you about Murray Island. You had to be here.”

## PERSONAL PRIVILEGE

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Senator McAuliffe: "And I would like to stand and recognize the work that Representative Sommers has done over the years for education. Always the House budget put a high priority on education of our one million children in our public schools. But what I really delight in the most is the excitement that I see in your face when we learned the University of Washington, of their research for our littlest learners. When we saw that children at birth could learn, when we looked at the fact that you hold a baby and stick your tongue out, just born, and it will stick their tongue back at you and you were so excited in all of this so we met and talked and tried to discuss how we could take our children from birth all the way through to be ready for kindergarten and on to third grade so that their life would be successful. Our very littlest ones who struggle the most. I want to thank you for the work that you've done on their behalf. I think that you have made a significant improvement in the lives of those babies and those families. Thank you."

## PERSONAL PRIVILEGE

Senator Kohl-Welles: "Thank you Mr. President. I can't quite see Helen from where I am. There she is. She had been sitting somewhere else earlier. Of course, I have the distinct pleasure and honor of all the members of the Senate of being the seat mate of Helen. I have to say it's been a pleasure. It's been an honor. It's not always been easy either. I have certainly not gotten any special consideration from Helen. I'm sure I've had as many no's said to me as everybody else has had and it's been very hard to live up to the high standards in terms of her being especially concise and short when talking. I'm sure my colleagues know that and I've also gotten to know Helen on a very personal level. I don't know that all of members of the Senate are aware of her absolutely killer sense of humor. She is extremely funny. Enjoyable, just, I mean she can be a real gas. I will say when she's in the right setting, maybe it's a little different setting than on the floor of the House or in committee, but when she's relaxed back at home, at an event, a little glass of something there to sip on, she's just a ball. I'm looking forward of having a lot more of those events and get together's with Helen. I'd also just like to share one story with you that my twin sons will never forget. About twelve or thirteen years ago when I came into the Senate she was going to sponsor one of my twin sons as a page. We had one in the Senate. One in the House and this went on for two or three years. In the first year, the twins at that time were into dying their hair different colors and I think one had purple hair at the time and one had orange hair and I said to them, 'Oh no, you can't page for Representative Sommers with purple hair or orange hair,' and we had a big to do in our family about this and so finally the one who was paging for Helen and he had blonde hair, dyed his hair black so that was ok. They loved that experience. The other one did it the next year and she has always been so wonderful with children and youth. I've noticed that over and over and over. The other thing that I would like the members to know when she has had meetings with lobbyist and other constituents, we've had the pleasure, I've had the pleasure of being in the district office where she has held the meetings for years and when I would have meetings in my office and people would know that she was in the other room having meetings, it was very hard for me to have full attention of the people I was meeting because there were so aware of Helen's being in the other room. She has had the highest level of respect from constituents, from lobbyist, from all of our colleagues and I'm personally glad that she will be in the thirty-sixth district and I will be able to continue being with her. Thank you Helen, you've been wonderful."

## PERSONAL PRIVILEGE

Senator Shin: "I'm not a speaker, I'm a watcher. I'm a listener. I spent two years in the House, '93-94. Helen was so way up over me. I was afraid of her. I used to run away when I see her as a freshman. First time I got to know her real well was about four years ago. We were on a trip to Asia, Taiwan and Thailand. I watched her from behind and sighed, tried to listen to her. She was most intensely interested in what she saw, what she heard and she talks to people and she asked the kind of a questions really touched me. She is interested in all their affairs, history, culture and trade as well. This is when she earned my respect and now I'm not afraid anymore. She's my senior and, Mr. President, if it is possible I think she will, in cold days of Seattle, Washington, she may interested in listening to us speeches if I can request this speech may be taped and give her a copy of this. I think she'll appreciate that. Helen, I think you are one of the few ladies I learned to respect and love. Thank you."

## PERSONAL PRIVILEGE

Senator Rasmussen: "Well, I rise also to give tribute to this remarkable, wonderful young woman and I say young because if you've ever traveled with Helen you'll notice that she has more vim and vigor and more interest in everything that's going around her. When I came in 80, my first session was '87, you talk about being scared of this whole process down here and then to be Representative Sommers' Vice Chair of Capitol, I thought oh my gosh, we are so different and how will we ever get along? Well, one of the first things I did was we, I realized that you're on the Capitol Committee you're in charge of everything the state owns so we got out a DNR map and we looked at this checker board of everything we owned and if you don't think Helen hasn't been in your district I will stand and prove it because we not only got into a helicopter one time but we got into a DNR plane and we traveled all over this state. Yes we went to Grandy Creek and I think that shack that we had lunch in, I think it fell into the river later on. We went to Northern State Hospital. We went to Thorp Grismill, the little town of Thorp to Inner Lake. We went to Walla Walla. We went in on death row. We went to Clallam Bay. We visited everything across the state so if you had a project some place believe you me we went and looked at it and we had fun doing it but it also we had when I came in we were just coming off the WPPSS where our bond rating was pretty bad and so investing in ourselves this is what this remarkable woman has done. We brought our bond rating up to a double A. We built buildings with the Holland Library, the Veterinary Hospital at WSU. I could keep mentioning things but, the State Historical Museum in Tacoma, all of these things were done because Helen took an interest in everything that we owned in this state and made sure that we invested in ourselves. Truly, truly wonderful gifted person as far as finances go and far as the personality. Yes, I regarded her as my mentor but most importantly I regarded her as my friend. We have had wonderful times and I will miss you down here Helen but we're going to have lot's and lot's of fun in the years to come. Thank you for what you've done for this state. All of us owe you, every citizen in this state owes you a great deal of honor and praise because you truly made this one Washington. Thank you."

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Senator Honeyford: "Well, thank you Mr. President. I wanted Helen to know and I told her last night that even though we sat opposite sides of the aisle in the House and still in the Senate I always checked to see where she voted on financial matters because I knew she was ninety-nine and nine-tenths percent right all of the time and so I really appreciated being able to have that opportunity. I also wanted to thank her for being a real lady. When we were in the majority, there was a situation with the Chair of the Budget Committee or the Appropriations Committee and she did not exploit that or take advantage of it but she worked very graciously with that member and I really appreciated that. A little-known fact about the lady, she is also a viticulturist and so am I so anyway I'll end there. Wish you well in your retirement."

## PERSONAL PRIVILEGE

Senator Keiser: "Thank you Mr. President. I would just like to say thank you Helen. I wouldn't be here today without you recruiting back in the '90's as many other members have mentioned. They too are here because of you and we have had the amount of effort and success that we've had because you've given us the mentor ship and the guidance and your advice along the way. So all I can say is thank you."

## PERSONAL PRIVILEGE

Senator Franklin: "Thank you Mr. President. Well, Representative Sommers, the young guys in the back mentioned they were born when you were elected but you brought them wisdom and with your wisdom you have taught them. You in turn have brought with you, you have carved a trail and that trail has been one of integrity an astute budget writer, one who examines every part of the budget very, very closely. While I have never sat on the Appropriations Committee, while I have never, one term I was served with you. We have not had long conversations. We've said hello but one thing that I have done is I have watched you very, very closely. I have watched how you have conducted yourself. I have watched not only that but when I go to my room, my second home and I watch TV and the Appropriations Committee of how you conduct that committee. Not only that is your attitude, your caring of what you have done for the state and your thirty-five years of being here and for the people of the State of Washington. Your finger has been on everything and every budget. I would say to you, you are not retiring, what your doing your moving on to something more and I would say that I really, really appreciate the time of service that you have given to this state. I wish you a happy time."

## PERSONAL PRIVILEGE

Senator Prentice: "I don't know about the rest of you but I certainly have one moment that was my favorite that told me everything that I needed to know about Helen Sommers. This is my first term when I was in the House. May I say that? When I was in the House. The Speaker wasn't getting something out of the Capitol Budget and I remember that he yelled at her, 'Helen, this is not your money that your spending.' She said, 'Oh, I thought it was,' he had the same frustrations a lot of people had. She could no very easily when it was the right thing to do but I certainly owe you a very personal vote of gratitude. You have helped me so much to an extent that other people here don't even know about. One of the things that we decided we were going to do when I got this job was meet every Friday and staff thought what do we need another meeting for and we said,

'Your not invited.' We said she and I needed to talk about what our respective caucuses' and what respective houses also had to say. One of the reasons that we did as much for special ed because I made it clear this was not a caucus, it was a Senate priority and she conveyed that to the other side. We also talked on the weekend. Dangerous isn't it? But we would talk maybe a couple times in a day and, Ok what about this? and, What do we do with that way' and I said like all good negotiators, now may not be transparent enough for the press but it certainly has worked for us and we have not had the kind of rancor that we sometimes had when you are working with the other side. One of the things that people don't know about you is your concern about kids immigrating to this country and their ability to learn other languages and that's one of the things that conveys your faith in our ability to absorb new people into this country. It's one of the things that sort of most people know about but I've admired so much about you. I can only thank you over and over and I hope you have a great time and come back with a great tan. Bye."

## REMARKS BY THE PRESIDENT

President Owen: "The President, of course, is incredibly honored to have Representative Sommers with us today. He believes her to be one of the most dedicated, caring, one of the brightest people that has ever served in this process. It's not the place for the President to make a speech but he certainly did want to share with you have much he appreciated you as well as the fact that, when you leave, I will then become the longest serving legislator here elected person here because there maybe somebody else that's been here a little bit longer than me not serving as an elected official. I can't even tie you unless I get elected and serve four years more, you have been here for so long doing so much for the people for the State of Washington. It would be a great honor for the Senate if you would wish to make any remarks to these people, to defend yourself or to do anything. Representative Sommers, do you wish to?"

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Representative Sommers who was seated at the rostrum.

## REMARKS BY REPRESENTATIVE SOMMERS

Representative Sommers: "As many of you are aware, I am a woman of few words but on this occasion I am virtually speechless. I was invited to come over that you were discussing a resolution or that you would begin speaking about my career, my being here, the kinds of things that I did, have done, the relationships, our partnerships and so on. Oh, I'd like to go over and hear it but I must say that I am deeply touched, deeply touched, by the kinds of things said. What you've reminded me of much of the history and things that we have done together in the past, which I treasure. I just want to say I am so grateful for this expression of friendship and working together that really barely have the words to tell you just how deeply I am touched by your support, your friendship and working relationship that we have had."

## PARLIAMENTARY INQUIRY

Senator Jacobsen: "Yes, there was another member of the Senate that was going to retire and they persuaded him to run again and he used some of the words that were said on the floor



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in his campaign brochure. If we could persuade Representative Sommers to run again would she be perfectly appropriate to use the quote from one of the speeches on the floor today?"

REPLY BY THE PRESIDENT

President Owen: "I don't know".

REPORT OF THE CONFERENCE REPORT  
Engrossed Substitute House Bill No. 2765  
March 12, 2008

MR. PRESIDENT:  
MR. SPEAKER:

We of your conference committee, to whom was referred Engrossed Substitute House Bill No. 2765, have had the same under consideration and recommend that all previous amendments not be adopted and that the following striking amendment be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2009, out of the several funds specified in this act.

**PART 1  
GENERAL GOVERNMENT**

**NEW SECTION. Sec. 1001.** A new section is added to 2007 c 520 (uncodified) to read as follows:

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

K-12 Inventory Pilot Project (08-2-850)

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

(1) Funding is provided solely for the joint legislative audit and review committee to define and develop a pilot facility condition and inventory system for K-12 public school facilities. In developing and conducting the pilot, the joint legislative audit and review committee shall seek input from the superintendent of public instruction, participating school districts, the construction services group within educational service district 112, the state board for community and technical colleges, the office of financial management, the department of information services, and other entities as determined by the joint legislative audit and review committee. It is the intent of the legislature to build on the experience of the community and technical college capital facility assessment and inventory process, which includes an independent condition assessment of facilities, to establish a baseline of basic public school facility building data and information. It is also the intent of the legislature that once developed, a facility condition and inventory system must be housed in and operated by the office of the superintendent of public instruction for school districts statewide.

(2) The joint legislative audit and review committee shall select up to ten public school districts to participate in the pilot. The school districts must represent a cross-section of large and small districts, urban and rural districts, districts with facilities of varying age and condition, districts with varying fiscal capacity, and at least one district that serves as the host for a skills center.

(3) The facility condition and inventory system must include facility and site information necessary for facility assessment and maintenance. The facility condition and inventory system must also inform statewide policy options related to: (a) Class size; (b) all-day kindergarten; (c) specialized educational spaces, including math and science classrooms and labs, as well as other specialized spaces; (d) environmental health and safety improvements; (e) joint use of school facilities beyond the traditional school day; (f) high performance buildings; (g) use of portables; and (h) other policy options as identified by the joint legislative audit and review committee.

(4) Data elements in the facility condition and inventory system may include, but are not limited to, facility location, facility condition including health and safety considerations, type, size, current use, enrollment and space by grade level, information on specialized educational spaces, functionality of space, energy efficiency information, date and cost of original construction, date and cost of any major remodeling or renovation, operations and maintenance information and expenditures, and other data elements as determined by the joint legislative audit and review committee.

(5) By January 1, 2009, the joint legislative audit and review committee shall provide a report to the appropriate legislative fiscal committees on the following: (a) A proposed scope of work for the facility condition and inventory system pilot project; (b) identification of current sources of school district facility information and where the data resides; (c) recommended criteria for evaluating school facilities; (d) potential school district participants; (e) an implementation plan for the pilot group of school districts; and (f) a review of other states' scope and use of public school facility condition and inventory information.

(6) By January 1, 2010, the joint legislative audit and review committee shall submit findings and recommendations on the pilot program to the appropriate legislative fiscal committees. At a minimum, the final report must include the following: (a) A summary of data collected and analyzed for each participating school district; (b) an analysis of study and survey data for several participating school districts compared to an independent facility assessment; (c) a cost/benefit analysis of expanding the pilot to school districts statewide, including potential timelines; (d) possible methods and frequency for collecting, inventorying, updating, and sharing facility information by the office of the superintendent of public instruction; (e) possible interaction of a facility condition and inventory system with the statewide first responder building mapping system and other data collection efforts that are ongoing, including student educational data managed by the office of the superintendent of public instruction; (f) methods that allow for the efficient transfer of information between school districts and the facility condition and inventory system; and (g) other recommendations as determined by the joint legislative audit and review committee.

Appropriation:

Education Construction Account--State . . . . .	\$230,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$230,000

**Sec. 1002.** 2007 c 520 s 1020 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Housing Assistance, Weatherization, and Affordable Housing (06-4-851)

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

(1) \$7,800,000 of the reappropriation from the Washington housing trust account is provided solely for the backlog, as defined by the department, of projects determined by the

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department to be eligible under chapter 43.185 or 43.185A RCW.

(2) \$4,500,000 of the reappropriation from the Washington housing trust account is provided solely for weatherization administered through the energy matchmakers program.

(3) \$850,000 of the reappropriation from the Washington housing trust account is provided solely to promote development of safe and affordable housing units for persons eligible for services from the division of developmental disabilities within the department of social and health services.

(4) \$500,000 of the reappropriation from the Washington housing trust account is provided solely for shelters, transitional housing, or other housing facilities for victims of domestic violence.

(5) \$3,000,000 of the reappropriation from the Washington housing trust account is provided solely for farm worker housing projects and programs to meet the full spectrum of housing needs of Washington's farm workers and their families. The department shall work with stakeholders representing a diversity of farm worker housing interests to develop a strategic plan in implementing this provision.

(6) \$200,000 of the reappropriation from the Washington housing trust account is provided solely for the implementation and management of a manufactured/mobile home landlord-tenant ombudsman conflict resolution program by the office of mobile home affairs as generally described in section 3, chapter 429, Laws of 2005. The office of mobile home affairs shall also determine the number of complaints made to the department since May of 2005 that, in the best estimate of the department, do in fact present violations of chapter 59.20 RCW and shall produce a summary of the number and types of complaints. The office of mobile home affairs shall also continue to maintain and update a database with information about all mobile home parks and manufactured housing communities. The office of mobile home affairs shall provide a report regarding the activities and results of the program to the appropriate committees of the house of representatives and the senate by December 31, 2007.

(7) \$150,000 of the appropriation from the Washington housing trust account is provided solely for a program to assist individuals and communities in the home-buying process, including, but not limited to: Homebuyer education classes, credit and budget counseling, financial literacy training, and down payment assistance programs. The department shall contract with a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code or similar successor provision that has experience and expertise in addressing language access barriers in the home-buying process to implement this program.

(8) The reappropriation in this section must be included in the calculation of annual funds available for determining the administrative costs of the department, which shall not exceed five percent of the annual funds available for the housing assistance program and the affordable housing program as authorized under RCW 43.185.050 and 43.185A.030.

Reappropriation:

Washington Housing Trust Account--State . . .	\$16,502,000
<del>((Homeless Families Services Account--State . . .</del>	<del>\$4,000,000</del>
<del>Subtotal Reappropriation . . . . .</del>	<del>\$20,502,000</del>
	\$16,502,000
Prior Biennia (Expenditures) . . . . .	\$499,000
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$21,001,000)</del>
	\$17,001,000

**Sec. 1003.** 2007 c 520 s 1030 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Drinking Water Assistance Program (07-4-004)	
Appropriation:	
Drinking Water Assistance Account--State . . .	<del>(\$7,200,000)</del>
	\$10,800,000
Drinking Water Assistance Repayment Account--State	
.....	\$21,100,000
Subtotal Appropriation . . . . .	<del>(\$28,300,000)</del>
	\$31,900,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$155,400,000
TOTAL . . . . .	<del>(\$183,700,000)</del>
	\$187,300,000

**Sec. 1004.** 2007 c 520 s 1034 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Public Works Trust Fund (07-4-005)

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

(1) Up to \$10,000,000 of the appropriation is for the public works board, in consultation with the house of representatives capital budget committee, the senate ways and means committee, and the office of financial management, to implement an infrastructure interest rate buy-down pilot program. The purpose of the program is to demonstrate options for the most efficient use of the state's investment in local infrastructure by funding more projects at an accelerated rate.

(2) The pilot program must provide grants to local governments to offset the difference in interest rates between one-half of one percent, as offered by the public works board, and the interest rate the local government receives on issuance of their own debt.

(3) The pilot program must include the following projects:

(a) Those with high scores from the list of projects that were not funded, as identified in the public works board 2008 legislative report;

(b) Projects located in economically distressed areas or that may be significantly impacted by a possible upcoming recession; and

(c) Projects located in jurisdictions that have unused debt capacity and are willing and able to acquire additional debt to finance the proposed infrastructure project.

Appropriation:

Public Works Assistance Account--State . . . . .	\$327,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$1,400,000,000
TOTAL . . . . .	\$1,727,000,000

**Sec. 1005.** 2007 c 520 s 1031 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Housing Assistance, Weatherization, and Affordable Housing (07-4-009)

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

(1) \$9,000,000 of the appropriation is provided solely for weatherization administered through the energy matchmakers program.

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

(3) \$2,500,000 of the appropriation is provided solely for grants to nonprofit organizations and public housing authorities for revolving loan, self-help housing programs for low and moderate income families.

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(4) \$1,000,000 of the appropriation is provided solely for shelters, transitional housing, or other housing facilities for victims of domestic violence.

(5) \$14,000,000 of the appropriation is provided solely for facilities housing low-income migrant, seasonal, or temporary farmworkers. The operation of the facilities built under this section shall be in compliance with 8 U.S.C. Sec. 1342. The department shall work with the farmworker housing advisory committee to prioritize funding of projects to the areas of highest need. Funding may also be provided, to the extent qualified projects are submitted, for health and safety projects. Any of this appropriation that is not obligated by June 30, 2009, shall be added to the amount appropriated for the general pool of projects.

(6) \$5,000,000 of the appropriation is provided solely for the development of emergency shelters and transitional housing opportunities for homeless families with children.

(7) \$4,000,000 of the appropriation is provided solely for the development of farm infrastructure improvements. Any of this appropriation that is not obligated by June 30, 2009, shall be added to the amount appropriated for the general pool of projects.

(8) \$1,500,000 of the appropriation is provided solely for the development of housing for low-income or homeless Native Americans. The department shall work with Native American tribes, not-for-profit organizations with experience in serving Native American populations, and Native American housing development organizations to prioritize projects located in the areas of highest identified need.

(9) \$4,000,000 of the appropriation is provided solely for loans and grants to eligible organizations to purchase manufactured/mobile home communities with the intent of preserving the communities for affordable housing.

(10) Up to \$10,000,000 of the appropriation is for the creation and development of low-income housing within areas declared disasters by the governor after November 2007.

(11) \$2,000,000 of the appropriation from the state taxable building construction account is provided solely for the development or preservation of farmworker housing for migrant and seasonal farmworkers located on private farms. This appropriation is subject to appropriate agreements to protect the public investment. Any of this appropriation that is not obligated by June 30, 2009, shall be added to the amount appropriated for the general pool of projects.

(12) The appropriations in this section from the state building construction account shall be distributed as grants.

(13) \$250,000 of the appropriation from the Washington housing trust account is provided solely to the city of Burien for housing related purposes.

(14) The appropriation in this section shall not be used for the administrative costs of the department. The amount of the appropriation shall be included in the calculation of annual funds available for determining the administrative costs authorized under RCW 43.185.050.

~~((+))~~ (15) Within available funding provided in this section, the department shall prepare an inventory of housing assistance programs. The inventory shall include all state funded programs, the housing finance commission programs, all programs funded by local governments and housing authorities, including a description of expenditures from fees and taxes specifically authorized by state law for housing assistance and homeless programs, all property tax and sales tax provisions that are intended to support housing assistance programs, and all federally funded housing assistance programs provided in the state. The inventory shall include a description of the program, biennial appropriation and expenditure levels since the 1999-2001 biennium through the 2007-2009 biennium, a description of eligibility criteria and the amount of benefit provided per unit or per family, and the number of units or families assisted. The department shall coordinate with the joint legislative audit and

review committee to reduce duplicative efforts that may be required by legislation.

(16)(a) \$10,000,000 of the appropriation is provided solely for the department to contract with the Washington state housing finance commission to provide grants or loans to eligible organizations, described under RCW 43.185A.040, to purchase land or real property for affordable housing and community facilities preservation or development in rapidly gentrifying neighborhoods, redevelopment areas, or communities with a significant low-income population that is threatened with displacement by such gentrification. Loans or grants may be made to purchase land or real property for the preservation or development of affordable housing or community facilities, including reasonable costs and fees. The Washington state housing finance commission's review and evaluation of projects for loans and grants must include, but is not limited to the following: (i) Consideration of mobile home parks facing closure; (ii) properties in neighborhoods in King county that are facing gentrification or redevelopment; and (iii) properties located in the city of Spokane that are facing the threat of displacing low-income tenants due to the loss of affordable housing rental units. The Washington state housing finance commission, with approval from the department, may adopt guidelines and requirements that are necessary to administer the affordable housing and community facilities rapid response program. A loan recipient must preserve affordable rental housing acquired or developed under this section as affordable housing for a minimum of thirty years. Interest rates on loans made under this section may be as low as zero percent but may not exceed three percent. All loan repayments must be deposited into the Washington housing trust account and accounted for separately from other funds in the account.

(b) By December 1, 2008, the Washington state housing finance commission shall report to the department and the appropriate committees of the legislature: (i) The number of loans that were made in the program; (ii) for what purposes the loans were made; (iii) to whom the loans were made; and (iv) when the loans are expected to be paid back.

(17) Up to \$10,000,000 of the appropriation is for the department to contract with the Washington state housing finance commission to administer the facilitation of nonprofit entities' use of tax-exempt multifamily bonds issued by the Washington state housing finance commission.

(18)(a) \$100,000 of the appropriation from the Washington housing trust account is provided solely for the department to work in consultation with the affordable housing advisory board and representatives from nonprofit housing development organizations and affordable housing advocacy groups in the state to:

(i) Identify and analyze all costs associated with affordable housing development projects financed through the Washington housing trust fund under chapters 43.185 and 43.185A RCW, which may include, but are not limited to, costs associated with legal and architectural services, permitting and impact fees, land acquisition, and general construction costs;

(ii) Make recommendations for strategies, which must include recommendations for changes to public policy and department procedures, to reduce the costs identified in (a)(i) of this subsection; and

(iii) Make recommendations for potential performance measures appropriate for each strategy identified.

(b) In developing recommendations for strategies to reduce costs, the department shall analyze and address the fiscal impact of public policies of the state and of local governments, Washington housing trust fund policies, and general market forces on affordable housing development.

(c) The department shall report its findings and recommendations to the governor and to the appropriate committees of the legislature by September 30, 2009.

Appropriation:

State Taxable Building Construction Account--State

.....	\$130,000,000
State Building Construction Account--State	\$56,700,000
Washington Housing Trust Account--State	\$13,300,000
Subtotal Appropriation	\$200,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$560,000,000
TOTAL	<del>(\$690,000,000)</del>
	\$760,000,000

Sec. 1006. 2007 c 520 s 1035 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Rural Washington Loan Fund (07-4-008)

Appropriation:

Rural Washington Loan Account--State	... (\$4,127,000)
	\$2,027,000
Prior Biennia (Expenditures)	..... \$0
Future Biennia (Projected Costs)	..... \$16,508,000
TOTAL	..... <del>(\$20,635,000)</del>
	\$18,535,000

Sec. 1007. 2007 c 520 s 1036 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Youth Recreational Facilities Grants (07-4-003)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

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

Projects	Location	Recommendation
YMCA of the inland northwest	Spokane	\$800,000
Boys and girls clubs of south Puget Sound	Lakewood	\$300,000
YMCA of Snohomish county	Mukilteo	\$385,000
YMCA of Snohomish county	Everett	\$800,000
Boys and girls club of south Puget Sound	Gig Harbor	\$600,000
Toutle river ranch	Longview	\$525,000
Boys and girls club of Bellevue	Bellevue	\$800,000
YMCA of Tacoma-Pierce county	Gig Harbor	\$800,000
Wenatchee valley YMCA	Wenatchee	\$213,000
YMCA of greater Seattle	Seattle	\$250,000
Maple Valley community center	Maple Valley	\$100,000
Boys and girls clubs of King county	Seattle	\$618,000

Filipino community of Seattle	Seattle	\$146,000
Boys and girls clubs of King county	Seattle	\$800,000
Ferndale boys and girls club	Ferndale	\$863,000
<del>((Tacoma community center))</del> Boys and girls club of south Puget Sound	Tacoma	\$800,000
Mukilteo boys and girls club	Mukilteo	\$250,000
<b>Total</b>		<b>\$9,050,000</b>

Appropriation:

State Building Construction Account--State	... \$9,050,000
Prior Biennia (Expenditures)	..... \$0
Future Biennia (Projected Costs)	..... \$32,000,000
TOTAL	..... \$41,050,000

Sec. 1008. 2007 c 520 s 1041 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Local and Community Projects (08-4-001)

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

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

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

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

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

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

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

(7) The appropriation provided in this section for the bridge for kids project shall not be released until the department obtains a report from the project sponsor updating the cost of the project and the current fund raising plan.

~~(8) ((Funding for preconstruction activities for the Camas and Washougal community and recreation center is contingent on voter approval of a metropolitan park district.~~

~~---(9))~~ The appropriation provided in this section for the Fox theater shall be provided only under an agreement that the theater shall retain its current name as the Fox theater.

~~((+0))~~ (9) The appropriation in this section for the life support and emergency medical services infrastructure build-out project is provided solely for emergency medical services and

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medical care infrastructure consistent with the adopted mission, goals, and capital plan of the 501(c)(3) life support.

~~((11) The port of Grays Harbor project is a loan that is subject to the provisions of chapter 171, Laws of 2006.~~

~~((12))~~ (10) The appropriation is provided solely for the following list of projects:

Project Name	Amount
800 MHz interoperability public safety communication	\$1,000,000
Aberdeen union gospel mission	\$562,000
Arts west playhouse and gallery	\$150,000
Ashford cultural center and mountaineering museum	\$800,000
Asian counseling/referral services	\$2,000,000
<del>((Aviation high school</del>	<del>(\$275,000))</del>
Ballard corners park	\$125,000
Beaver mitigation of Little Spokane river	\$75,000
Benton City food bank	<del>(\$200,000)</del>
	<u>\$350,000</u>
Bethel community center	\$1,000,000
Blueberry park improvements	\$5,000
Bothell crossroads/state route 522 realignment - land acquisition and preconstruction activities	\$7,000,000
Bowen field	\$500,000
Bremerton downtown economic revitalization projects	\$5,000,000
Bridge for kids	\$500,000
Burbank water improvement	\$1,621,000
Burien town square	\$1,600,000
Camp kilworth land acquisition - Federal Way	\$1,100,000
Cannon house	\$750,000
Chambers creek pedestrian bridge	<del>(\$1,000,000)</del>
	<u>\$2,400,000</u>
Chehalis middle school track improvement	\$350,000
Chehalis veterans wall of honor security enclosure	\$25,000
Chelan county public utility district monitor domestic water system	\$800,000
Children's hospital	\$2,500,000
Cities of Camas and Washougal community/recreation center preconstruction activities	\$500,000
City of Everett - senior center expansion and upgrade	\$400,000
City of Everett minor league baseball - aquasox	\$433,000
City of Kent event center	\$3,000,000
City of Mount Vernon downtown and waterfront flood control	\$1,000,000
City of Puyallup riverwalk trail project	\$600,000
City of Tacoma minor league baseball - rainiers	\$2,500,000
City of Yakima minor league baseball	\$594,000
Civil war cemetery near volunteer park	\$5,000
Columbia Springs environmental learning center preconstruction or construction activities	\$200,000
Confluence project	<del>(\$500,000)</del>
	<u>\$1,000,000</u>
Counter balance park	\$100,000
Coupeville covered play area	\$113,000
Covered bridge park land acquisition (Grays river)	\$90,000
Cowlitz drug treatment center	\$580,000
Darrington water system improvements	\$100,000
Dawson place child advocacy center land acquisition and renovation	\$650,000
Daybreak star in Discovery park	\$300,000
Dining car historic preservation	\$50,000
Discovery park - Fort Lawton	\$700,000
Duwamish education center	\$2,000,000
Duwamish longhouse	\$275,000
Eatonville family park	\$200,000
Evergreen school district health and biosciences academy	\$1,000,000
Federal Way little league field lighting	\$50,000
Ferndale boys and girls club - urgent needs and preconstruction activities	\$200,000
Fish lake trail	\$1,000,000

Fort Dent sewer	\$450,000
Foss waterway	<del>(\$1,000,000)</del>
	<u>\$1,300,000</u>
Fox theater	\$2,000,000
Friends of hidden river preconstruction activities	\$675,000
Goodwill of Tacoma	\$1,500,000
Granite Falls museum	\$30,000
High Point neighborhood center in West Seattle	\$1,000,000
Highline school district noise mitigation	<del>(\$3,500,000)</del>
	<u>\$5,000,000</u>
Hill ward building removal	\$550,000
Innovative services northwest	\$1,900,000
Institute for community leadership	\$700,000
Jewish federation of greater Seattle	\$900,000
Kent alliance center	\$500,000
Kirkland public safety campus land acquisition and preconstruction activities	\$750,000
Kitsap SEED	\$1,100,000
Klickitat law enforcement firing range	\$20,000
Kruckeberg botanical garden	\$150,000
Lake Stevens civic center	\$800,000
Lake Stevens senior center	<del>(\$200,000)</del>
	<u>\$300,000</u>
Lake Waughop/department of ecology aquatic weeds	\$50,000
Library connection at greenbridge	\$200,000
Life support and emergency medical services infrastructure build-out	\$2,700,000
Lions club renovation	\$160,000
Long lake nutrient reduction	\$300,000
Loon lake wood waste removal pilot study	\$350,000
Lucy Lopez center land acquisition	\$750,000
Maple Valley lake wilderness lodge and conference center	\$1,500,000
Maple Valley legacy site planning and infrastructure development	\$3,000,000
McCaw hall	\$2,000,000
McDonald park	\$150,000
Mercer slough environmental center	\$1,500,000
Mill creek senior center	\$150,000
Mirabeau Point children's universal park	\$800,000
Mobius	<del>(\$800,000)</del>
	<u>\$1,900,000</u>
Monroe rotary field	\$700,000
Morning star cultural center	\$300,000
Mountains to sound - SR18/I90 interchange	\$500,000
Nisei veterans committee	\$250,000
NORCOM public safety communication	\$750,000
Nordic heritage museum <u>preconstruction activities</u>	\$1,500,000
Northwest African American museum	\$650,000
Northwest harvest	\$3,000,000
Northwest stream center	\$300,000
Oak Harbor dredging preconstruction activities	\$59,000
Oak Harbor veterans memorial	\$50,000
Okanogan Valley equestrian and cultural heritage center	\$4,000,000
Palouse street safety improvements	\$210,000
Performing arts center eastside <u>preconstruction activities</u>	<del>(\$2,000,000)</del>
	<u>\$2,500,000</u>
Perry technical institute hanger	\$250,000
Pike Place market	\$1,070,000
Port of Benton transloader (railex)	\$1,000,000
<del>((Port of Grays Harbor</del>	<del>\$2,500,000))</del>
Port of Walla Walla wine incubator	\$500,000
Poulsbo marine science center floating classroom	\$100,000
Prime time repairs (terminally ill children)	\$300,000
Puyallup town square	\$200,000
Rainier lifelong learning center	\$200,000
Richland Babe Ruth field complex	\$1,000,000
Seatac World War I memorial plaza	\$200,000
Seattle art museum	\$1,250,000

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Seattle children's play garden	\$332,000
Seattle Chinese garden	\$500,000
Shoreline YMCA	\$800,000
Simon youth foundation resource center	\$150,000
Skagit recreation and event center	\$1,000,000
Snoqualmie railway history preconstruction activities	\$600,000
Somerset village - Snohomish Y	\$200,000
South Tacoma community center	<del>(\$700,000)</del>
	<u>\$1,200,000</u>

Spokane county minor league baseball - Indians	\$2,000,000
Spokane Valley community center and foodbank	\$260,000
Spokane YWCA/YMCA joint project	<del>(\$2,500,000)</del>
	<u>\$3,500,000</u>

Springwood youth center	\$500,000
SR 395/court street pedestrian overpass	\$400,000
Suquamish inviting house construction	\$1,000,000
Tacoma narrows bridge lights	\$1,500,000
Tonasket viewing platform	\$100,000
Tanbara clinic - East Tacoma community	\$850,000
The Northwest maritime center	\$2,250,000
The Tri Cities minor league baseball	\$666,000
Thurston county small business incubator	\$750,000
Tokeland/North Cove water tank for fire	\$10,000
Town square grid - drexler drive	\$750,000
Tukwila southcenter parkway infrastructure	\$4,000,000
Turning point domestic violence shelter	\$700,000
University Place town square	\$1,000,000
VaHalla hall	\$750,000
Vancouver national historic reserve	\$750,000
Vernetta Smith Chehalis timberland library	\$500,000
Waitsburg flood control feasibility report	\$29,000
Walla Walla county health center annex	\$100,000
White Center heights park	\$500,000
White Salmon water improvement	\$1,500,000
Willapa harbor community center	\$300,000
Wing-It productions historic theater	\$20,000
Washington State University/Shoreline Community	
College zero energy house	\$200,000
Yakima domestic violence shelter	\$200,000
Yakima downtown futures initiative phase 3	\$1,000,000
<del>((YMCA of Snohomish county- Ebey Island project</del>	<del>\$2,200,000))</del>

Total	<del>(\$132,619,000)</del>
	<u>\$134,694,000</u>

Appropriation:	
State Building Construction Account--State	<del>(\$132,619,000)</del>
	<u>\$134,694,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$132,619,000)</del>
	<u>\$134,694,000</u>

**Sec. 1009.** 2007 c 520 s 1039 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

**Innovation Partnership Zones (08-2-003)**

The appropriation in this section is subject to the following conditions and limitations: The state will designate unique areas of the state as innovation partnership zones, where globally competitive companies, research institutions, and advanced training are creating special competitive advantages for the state. From among the innovation partnership zones, using a competitive process based on need, estimated economic impact, geographic diversity, and local matches, ~~((five)) six~~ zones or projects will be selected to receive funding. The appropriation in this section is provided solely for shared telecommunications within the zone, shared infrastructure and facilities, long-term capital purchases, and up to 10 percent for zone administration through the locally-designated innovation partnership zone

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administrator. It is the intent of the legislature that innovation partnership zone grants should consider the commercialization of inventions and innovations.

Appropriation:	
State Building Construction Account--State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$5,000,000</u>

**Sec. 1010.** 2007 c 520 s 1021 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

**Job/Economic Development Grants (06-4-950)**

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

(1) The reappropriation is subject to the project list in section 107, chapter 371, Laws of 2006.

(2) \$1,000,000 of the reappropriation for the Pacific Northwest national labs campus infrastructure project is provided solely for giga-pop infrastructure.

(3) ~~(\$5,000,000)~~ \$2,200,000 of the reappropriation is provided solely for military communities infrastructure projects. Military communities infrastructure projects shall include:

(a) Grants to counties and cities for the purchase of development easements and the purchase of real property in fee simple to restrict the use of accident potential zones and clear zones. The office of financial management shall establish a competitive process for selecting projects to receive the grants. Final allocation of these grants shall be at the discretion and with the approval of the director of the office of financial management.

The grants are subject to the following conditions:

(i) The county or city must be subject to and in compliance with RCW 36.70A.530;

(ii) The grants may not be used to remove encroachments into these zones allowed by county or city zoning or permitting actions;

(iii) The county or city must have an encroachment prevention plan preventing future encroachment into these zones; and

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

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

Reappropriation:	
Public Works Assistance Account--State	<del>(\$31,481,000)</del>
	<u>\$28,681,000</u>
Prior Biennia (Expenditures)	\$18,519,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$50,000,000)</del>
	<u>\$47,200,000</u>

**NEW SECTION. Sec. 1011.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

**Skagit County Digester (08-4-951)**

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for a grant for the Skagit county digester project. This appropriation is subject to appropriate agreements to protect the public investment.

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

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TOTAL ..... \$500,000
NEW SECTION. Sec. 1012. A new section is added to 2007 c 520 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Snohomish County Biodiesel (08-4-859)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for a grant for the Snohomish county biodiesel crusher project. This appropriation is subject to appropriate agreements to protect the public investment.

Appropriation:

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

NEW SECTION. Sec. 1013. A new section is added to 2007 c 520 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Quillayute Valley Wood-Fire Boiler (08-4-858)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for a grant for the Quillayute Valley wood-fire boiler demonstration project. This appropriation is subject to appropriate agreements to protect the public investment.

Appropriation:

Energy Freedom Account--State ..... \$1,000,000
Prior Biennia (Expenditures) ..... \$0
Future Biennia (Projected Costs) ..... \$0
TOTAL ..... \$1,000,000

Sec. 1014. 2007 c 520 s 1042 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Community Development Fund (08-4-850)

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

(1) The projects listed in this section must comply with RCW 43.63A.125(2)(c).

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

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

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

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

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

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

Project Name Amount

Table listing various community centers and their funding amounts, including CASA Latina, Divine alternatives for dads services (DADS) center, El Centro de la Raza center, etc.

Appropriation:

State Building Construction Account--State .. \$21,166,000
Prior Biennia (Expenditures) ..... \$0
Future Biennia (Projected Costs) ..... \$0
TOTAL ..... \$21,166,000

Sec. 1015. 2007 c 520 s 1045 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Washington State Horse Park (08-2-004)

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

(1) The appropriation in this section shall complete the state's capital obligation for the facility.

(2) Land provided for the state horse park by the county or city in which the park is located shall remain in the ownership of that county or city unless the county or city determines otherwise. The legislature encourages the county or city to provide a long-term lease of selected property to the Washington state horse park authority at a minimal charge.

Appropriation:

State Building Construction Account--State ... \$3,500,000
Prior Biennia (Expenditures) ..... \$0
Future Biennia (Projected Costs) ..... \$0
TOTAL ..... \$3,500,000

NEW SECTION. Sec. 1016. A new section is added to 2007 c 520 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Longview Regional Water Treatment Plant Dredging (08-1-001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the emergency dredging of the Cowlitz river to prevent sandbars from obstructing the intake facility necessary for the city of Longview to obtain water.

Appropriation:

State Building Construction Account--State .... \$150,000
Prior Biennia (Expenditures) ..... \$0
Future Biennia (Projected Costs) ..... \$0
TOTAL ..... \$150,000

NEW SECTION. Sec. 1017. A new section is added to 2007 c 520 (uncodified) to read as follows:

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Quincy Water Treatment System Phase 1 (08-1-002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to increase the capacity of the water treatment facility in the city of Quincy.

Appropriation:

State Building Construction Account--State . . .	\$4,500,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$4,500,000

NEW SECTION. Sec. 1018. A new section is added to 2007 c 520 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Community Schools (08-4-856)

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

(1) The appropriation in this section is provided solely for the acquisition, rehabilitation, expansion, or improvement of surplus school buildings to be converted into community facilities for the delivery of nonresidential coordinated services for children and families.

(2) Eligible applicants include local governments, nonprofit organizations, nonprofit early learning providers, and tribal governments. Only the following surplus schools may be eligible for grant funding under this section: (a) Allen school; (b) Crown Hill school; (c) Fauntleroy school; (d) University Heights school; (e) Martin Luther King elementary school; and (f) Lincoln high school north wing.

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

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

(b) A memorandum of understanding between the lead eligible applicant and each partner; and

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

(4) Project applicants must demonstrate that the proposed project is ready to proceed, will make timely use of the funds, and requires state funding to accomplish a discrete, usable phase of the project that may include acquisition.

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

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

Appropriation:

State Building Construction Account--State . . .	\$4,585,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$4,585,000

NEW SECTION. Sec. 1019. A new section is added to 2007 c 520 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

2008 Local and Community Projects (08-4-861)

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

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

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

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

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

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

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

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

Project Name	Amount
180th/240th park development	\$700,000
Armed forces and aerospace museum	\$100,000
Brightwater environmental education center and energy test bed	\$270,000
Bullerville utility district water system replacement	\$350,000
Burley Mountain lodge	\$350,000
Camano community health clinic	\$500,000
Cispus environmental learning center	\$150,000
Cliff Bailey center - north end roof	\$302,000
Comfort house senior citizen center	\$15,000
Culvert and road collapse on 17th street in Lynden	\$500,000
Dayton historic depot	\$75,000
Dialysis capacity and backup power	\$450,000
Eatonville community pool access addition	\$350,000
Edwall water system	\$765,000
Examination room at children's justice center	\$100,000
Federal Way performing arts preconstruction activities	\$500,000
Garfield county agricultural history museum	\$75,000
Greenacres neighborhood park development	\$300,000
Handicap and public safety renovations	\$115,000
Hazel Heights p-patch and community garden	\$70,000
Historic train preservation	\$50,000
Hope center	\$135,000
Jim Kennett track renovation	\$12,000
Kitsap mental health services residential facility	\$1,000,000
Mason transit community center	\$235,000
McCaw hall	\$400,000
Mobile command center	\$330,000
Mt. Rainier lahar warning system upgrade	\$300,000
Mt. Spokane ski and snowboard parks preconstruction activities	\$300,000
Naches depot and trail phase II	\$375,000
New hope farms	\$85,000
North East redevelopment area project preconstruction activities	\$500,000



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Petrovitsky park upgrade	\$100,000
Public facility emergency readiness	\$300,000
Puget Sound industrial excellence center	\$1,000,000
Rainier Valley boys and girls club	\$450,000
Redman slough channel restoration	\$45,000
Relocation of Highline West Seattle mental health facility	\$1,500,000
Road and culvert repair on Cedar Flats road	\$500,000
Seahurst environmental center	\$300,000
Share house expansion	\$1,400,000
Skamania county fairgrounds emergency repairs	\$100,000
Snohomish American legion ADA ramp	\$50,000
Sunnyside school district	\$150,000
Underwood water reservoir and water system improvements	\$350,000
Union avenue redevelopment	\$500,000
Vader public restrooms	\$110,000
Vancouver river front redevelopment	\$910,000
Wallingford boys and girls club	\$100,000
West Richland diking district	\$120,000
William Factory small business incubator	\$250,000
Yakima Valley museum feasibility study - downtown arts center	\$25,000
Youth housing and drop-in center	\$300,000
YWCA Somerset village apartments and community center acquisition	\$160,000
<b>Total</b>	<b>\$18,479,000</b>

Appropriation:

State Building Construction Account--State	\$18,479,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$18,479,000</b>

**NEW SECTION. Sec. 1020.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Statewide Childcare Facilities Needs Assessment (08-4-857)

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

(1) The appropriation in this section is provided solely for the department, in consultation with the department of early learning, to provide an assessment of childcare capacity statewide for the following children: (a) Children served by programs under chapter 72.40 RCW; (b) sick children; (c) children whose care is subsidized by the department of social and health services; (d) children that participate in the early childhood education and assistance program; and (e) children that participate in the head start program.

(2) The department shall review current or potential funding sources for the acquisition, construction, renovation, or expansion of early learning and other childcare program facilities, and make recommendations to the legislature regarding the need to revise current state competitive childcare facility programs or develop new state programs.

(3)(a) The department shall convene a work group to consider and make recommendations regarding potential criteria for a competitive childcare facility program including, but not limited to the following: (i) Potential eligible applicants; (ii) the appropriateness of grants or loans for eligible applicants; (iii) the type of facilities that are eligible for grants or loans; (iv) objective selection criteria; (v) the need for technical assistance for applicants; and (vi) potential modifications, if any, to the school construction assistance program administered by the office of the superintendent of public instruction with regard to early learning and other childcare programs.

(b) The work group shall consist of stakeholders in the early learning and childcare communities and their recommendations must be delivered to the legislative fiscal committees by November 15, 2008.

Appropriation:

State Building Construction Account--State	\$42,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$42,000</b>

**NEW SECTION. Sec. 1021.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT**

Building Communities Fund Program (08-4-855)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the administrative costs associated with the implementation of chapter . . . (Second Substitute Senate Bill No. 6855 (funding for jobs, economic development, and local capital projects)), Laws of 2008. If the bill is not enacted by June 30, 2008, the appropriation in this section shall lapse. The department shall submit a list of qualified eligible projects to the governor and the legislature for the 2009-2011 biennium. The anticipated funding level for these projects is up to thirty-two million dollars.

Appropriation:

State Building Construction Account--State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$250,000</b>

**NEW SECTION. Sec. 1022.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Infrastructure Investment System (08-2-859)

The appropriation in this section is subject to the following conditions and limitations: The legislature intends to begin a process of reevaluating the policy goals and priorities for the allocation of infrastructure assistance program funds through the use of information that is available and reviewed each biennium by the infrastructure programs.

(1) The appropriation in this section is provided solely for the office of financial management, in cooperation with the department of community, trade, and economic development, the department of ecology, the department of health, the transportation improvement board, and the office of the state treasurer to develop an implementation plan. The implementation plan will also be developed in consultation with existing and potential state infrastructure program grant and loan recipients, other stakeholders, and the legislature. The implementation plan must identify options for the organization and coordination of appropriate state infrastructure assistance programs into an improved infrastructure investment system. The implementation plan must identify opportunities for the improved infrastructure investment system to achieve the following:

(a) Ease of access to program information and applications;

(b) Access to technical assistance;

(c) Coordination of program investment to ensure that all budget and tax support from all state sources is disclosed and considered as a total package of assistance. This includes the identification of taxes paid by taxing districts and regions and the benefits received from those same districts and regions;

(d) The promotion of strategic investments of state resources that are aligned with state policy goals, which includes laws, administrative rules, and program policies;

(e) The reduction of the cost of private market borrowing for jurisdictions with higher costs;

(f) The identification of additional revenue for local infrastructure; and

(g) Effective and efficient program administration.

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(2) The development of an implementation plan must build upon prior studies and inventories of infrastructure programs and a further analysis of the major local infrastructure assistance programs. The implementation plan must be based on analysis, including the following:

- (a) Identification of the benefits from state grants and interest rate subsidies to rate payers and local tax payers;
- (b) A comparison of state policy goals, which are primary considerations in determining project funding decisions, with the actual funding decisions, the criteria used to rank proposals, and the performance measures used to monitor the success of the programs;
- (c) The compilation of the total amount of assistance received by jurisdictions over the past five biennia;
- (d) A comparison of the terms of a sample of low-interest loans provided to public infrastructure projects with the terms of private market borrowing that the jurisdictions would have been able to obtain. The sample of loans must include different types and sizes of projects and jurisdictions; and
- (e) An identification of funds leveraged with state infrastructure resources.

(3) The legislature also intends to use information from the multiple infrastructure assistance programs to provide direction for future funding priorities. The legislature will base those priorities on information from infrastructure assistance programs, including the programs' recommendations for the following:

- (a) Needed investment for the different types of infrastructure projects over the next six years;
- (b) Funding allocation of the projected existing state infrastructure assistance resources to those types of projects;
- (c) Reallocation of existing state resources for infrastructure projects; and
- (d) New and existing local and state revenue sources to address unfunded local infrastructure needs. In estimating the needed investment for different types of infrastructure projects, infrastructure assistance programs may include in their recommendations new types of projects that are not authorized in statute.

(4) The implementation plan and analysis must be completed by December 1, 2008.

Appropriation:

Public Works Assistance Account--State	\$475,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$475,000</b>

**Sec. 1023.** 2007 c 520 s 1048 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Snohomish, Island, and Skagit County Regional Higher Education (08-2-001)

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

(1) It is the intent of the legislature that the four-year institutions and the community and technical colleges work as cooperative partners to ensure the successful and efficient operation of the state's system of higher education. In furtherance of the state's responsibility for the expansion of baccalaureate and graduate educational programs in the central Puget Sound area, the University of Washington shall govern and operate an additional branch campus to be located in the Snohomish/Island/Skagit county area. Top priorities for the campus include expansion of upper division capacity for transfer students and graduate students in high demand programs, with a particular focus on science, technology, and engineering. The campus may offer lower division courses linked to specific majors in fields not addressed at local community colleges. The campus may also directly admit freshmen and sophomores gradually and deliberately in accordance with a campus plan to

be submitted to the higher education coordinating board. All student admissions will be carried out in accordance with coadmissions and proportionality agreements emphasizing access for transfer students codeveloped by the University of Washington and the state board for community and technical colleges.

(2) The office of financial management and the University of Washington are directed to assess options and make recommendations on the siting of the branch campus in the Snohomish/Island/Skagit county region and shall develop operational and management plans needed to establish the institution. The plans shall include but not be limited to a master business plan for design and implementation, and programs to be offered to address demographic pressures and workforce needs. Planning and analysis shall be done in coordination with the local community and existing higher education institutions. Site selection criteria shall include, but not be limited to: Meeting the objectives of the master business plan; meeting the unmet baccalaureate needs in the region, including high demand program needs; compliance with provisions of the state's growth management act; and accessibility from existing and planned transportation infrastructure.

(3) Five years from the time the first class of students enters the new institution, the higher education coordinating board will work with the new institution and a local advisory board to: (a) Review the extent to which the new institution is meeting the baccalaureate degree needs of the citizens and businesses of the region and state; (b) assess any additional steps needed to accomplish the goals set forth in subsection (1) of this section, and; (c) assess the relationship between the new institution and other higher education institutions in the region and the state.

(4) The state board for community and technical colleges and the University of Washington shall plan for transition of appropriate programs from the university center to upper division programs at the branch campus.

(5) The office of financial management and the University of Washington shall report to the governor and the appropriate committees of the senate and house of representatives by November 15, 2007, on campus siting recommendations and a preliminary design and implementation plan. ~~((The final design and implementation plan shall be delivered to the governor and the appropriate committees of the senate and house of representatives by June 1, 2008.))~~

(6) The office of financial management may contract with outside sources to carry out the provisions of this section.

Appropriation:

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

**Sec. 1024.** 2007 c 520 s 1050 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Oversight of State Facilities (08-2-855)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to strengthen its oversight role in state facility analysis and decision making as generally described in chapter 506, Laws of 2007.

Appropriation:

State Building Construction Account--State	<del>(\$1,015,000)</del>
	<u>\$1,419,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b><del>(\$1,015,000)</del></b>

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\$1,419,000  
**Sec. 1025.** 2007 c 520 s 1049 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Higher Education Cost Escalation (08-2-854)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to assist public baccalaureate higher education institutions in managing unanticipated cost escalation for projects bid during the 2007-2009 biennium. Not more than \$750,000 shall be made available to any single project and amounts used must be matched equally from other resources. The office of financial management shall manage the distribution of funds to ensure that the requesting institution has managed its project within the current appropriation through preparation of bid documents and that the scope of the project is no greater than originally specified in the design. Prior to approving use of a minor works appropriation as a match, and its transfer to the project with unanticipated cost escalation, the office of financial management shall require the institution to describe what it has done to identify and develop alternative resources for a match, and the specific minor works projects that would be deferred as a result of the transfer. The office of financial management shall report to the appropriate fiscal committees of the legislature on the use of these funds.

Appropriation:

State Building Construction Account--State	<del>(\$3,237,000)</del>
	<u>\$1,500,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$3,237,000)</del>
	<u>\$1,500,000</u>

**NEW SECTION. Sec. 1026.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Higher Education Project Scoring and Financing Study (08-2-861)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to complete an objective analysis and scoring of all capital budget projects proposed by the public four-year institutions, beginning in 2008, and a higher education financing study as generally described in chapter . . . (Engrossed Substitute House Bill No. 3329), Laws of 2008. If the bill is not enacted by June 30, 2008, the appropriation shall lapse.

Appropriation:

State Building Construction Account--State	\$300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

**Sec. 1027.** 2007 c 520 s 1058 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Statewide Infrastructure: Preservation Minor Works (06-1-004)

Reappropriation:

State Vehicle Parking Account--State	\$31,000
State Building Construction Account--State	<del>(\$246,000)</del>
	<u>\$146,000</u>

Thurston County Capital Facilities Account--State	\$1,824,000
Subtotal Reappropriation	<del>(\$2,101,000)</del>

Prior Biennia (Expenditures)	\$918,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$3,019,000)</del>
	<u>\$2,919,000</u>

**Sec. 1028.** 2007 c 520 s 1065 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Legislative Building Improvements (08-1-011)

~~((The appropriation in this section is subject to the following conditions and limitations: \$25,000 of the capitol building construction account appropriation is provided solely to establish a legislative gift center created in chapter . . . (Second Substitute House Bill No. 1896), Laws of 2007. If the bill is not enacted by June 30, 2007, the appropriation shall lapse.))~~

Appropriation:

<del>(Capitol Building Construction Account--State</del>	<del>\$701,000)</del>
Thurston County Capital Facilities Account--State	\$676,000
State Building Construction Account--State	<del>(\$550,000)</del>
	\$575,000
Subtotal Appropriation	\$1,251,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,836,000
TOTAL	\$4,087,000

**Sec. 1029.** 2007 c 520 s 1066 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Minor Works - Facility Preservation (08-1-015)

Appropriation:

Capitol Building Construction Account--State	<del>(\$1,715,000)</del>
	\$1,619,000
State Building Construction Account--State	<del>(\$1,456,000)</del>
	\$1,666,000
Thurston County Capital Facilities Account--State	\$3,634,000
General Administration Service Account--State	\$1,386,000
Subtotal Appropriation	<del>(\$8,191,000)</del>
	\$8,305,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	<del>(\$20,365,000)</del>
	\$20,065,000
TOTAL	<del>(\$28,556,000)</del>
	\$28,370,000

**Sec. 1030.** 2007 c 520 s 1067 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Minor Works - Infrastructure Preservation (08-1-004)

Appropriation:

Capitol Building Construction Account--State	\$600,000
State Vehicle Parking Account--State	\$22,000
State Building Construction Account--State	<del>(\$3,000,000)</del>
	\$2,796,000
Thurston County Capital Facilities Account--State	\$1,899,000
General Administration Service Account--State	\$200,000
Subtotal Appropriation	<del>(\$5,721,000)</del>
	\$5,517,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	<del>(\$7,006,000)</del>
	\$6,006,000
TOTAL	<del>(\$12,727,000)</del>
	\$11,523,000

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Sec. 1031. 2007 c 520 s 1073 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Oversight of State Facilities (08-2-853)

The appropriation in this section is subject to the following conditions and limitations: The appropriations ((is)) in this section ((is)) are provided solely for the department of general administration to assist the office of financial management with the development ~~((of six-year facility plans as generally described in chapter . . . (Substitute House Bill No. 2366), Laws of 2007))~~ and implementation of RCW 43.82.035 and 43.82.055.

Appropriation:

General Administration Services Account--State . . .	\$345,000
State Building Construction Account--State . . . . .	\$264,000
<u>Subtotal Appropriation . . . . .</u>	<u>\$609,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<u>TOTAL . . . . .</u>	<u>(\$345,000)</u>
	<u>\$609,000</u>

Sec. 1032. 2007 c 520 s 1068 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Minor Works - Program (08-2-012)

Appropriation:

State Building Construction Account--State . . .	<del>(\$370,000)</del>
	<u>\$260,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$2,720,000
<u>TOTAL . . . . .</u>	<u>(\$3,090,000)</u>
	<u>\$2,980,000</u>

NEW SECTION. Sec. 1033. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Infrastructure Relocation (08-2-028)

Appropriation:

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

NEW SECTION. Sec. 1034. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Campus Monuments Repair and Restoration (09-1-003)

Appropriation:

State Building Construction Account--State . . . . .	\$288,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<u>TOTAL . . . . .</u>	<u>\$288,000</u>

NEW SECTION. Sec. 1035. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Thurston County--Capital Campus High Capacity Transportation Study (08-2-955)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a contract with the Thurston county regional planning council for a study of transportation options for state employees in Thurston county and state capital campus visitors. The study must analyze trip patterns, alternative modes of transportation for employees, access for visitors, interagency travel, and commute trip reduction programs. The study must recommend options to improve multimodal transportation options available to those traveling to and from the capital and satellite campuses, including ways to improve the use, design, and access to new and existing transportation infrastructure such as parking lots, bicycle storage, park and rides, and transit stops.

Appropriation:

State Vehicle Parking Account--State . . . . .	\$150,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<u>TOTAL . . . . .</u>	<u>\$150,000</u>

NEW SECTION. Sec. 1036. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Heritage Center/Executive Office Building: Design (08-2-858)

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

(1) The appropriation in this section is provided solely for design of the combined heritage center and executive office building project.

(2) The secretary of state and the department of general administration, in consultation with the office of the state treasurer, shall submit a financial plan for the combined project to the legislature by February 1, 2009. The financial plan must be approved by the director of the office of financial management and must include the following:

(a) An updated scope of work for the combined project;

(b) An updated projection of annual revenues and expenses for each portion of the combined facility authorized in section 6001 (9) and (10)(a) of this act that fully support the project scope;

(c) A contingency plan in the event that fees generated under RCW 43.07.128, 36.18.010, and 36.22.175 are insufficient to meet debt service payments on the heritage center portion of the project in any given year over the life of the certificate of participation. Moneys derived from private fundraising activities shall not be considered as a revenue source for debt service payments in the contingency plan. The contingency plan must prioritize methods to be used to make up shortfalls in revenue including, but not limited to, transfers from the state general fund and other accounts, archive and corporate filing fee increases, agency operating budget reductions, and other methods;

(d) A risk management plan that identifies the process for decision making on project scope, schedule, and budget changes. The risk management plan also must describe the process for resolving disagreements between all parties; and

(e) An update on private fundraising activities.

(3) An executive steering committee shall be established for the project comprised of the secretary of state, the insurance commissioner, the director of the department of general administration, and the director of the office of financial management.

(4) The secretary of state and the department of general administration shall provide updates on the project to the office of financial management, including but not limited to information on project scope, schedule, and budget, on an interval to be determined by the office of financial management.

Appropriation:

Washington State Heritage Center Account--State

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.....	\$6,000,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$0
TOTAL .....	\$6,000,000

**NEW SECTION. Sec. 1037.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF PERSONNEL**

Thurston County Childcare Needs Assessment - Predesign (08-2-850)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of personnel and the department of general administration to develop a predesign to determine: (1) Childcare needs of Washington state employees in Thurston county; (2) existing licensed childcare capacity near the capitol campus, in Lacey and in Tumwater, located near state agency offices; (3) preferred and alternate locations based on that need and capacity, on or near the capitol campus, in Lacey and in Tumwater; (4) optimum size of childcare space; and (5) project costs for these locations. The departments shall submit the predesign by September 15, 2008, to the office of financial management and the appropriate legislative fiscal committees.

Appropriation:

Thurston County Capital Facilities Account--State	\$150,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$0
TOTAL .....	\$150,000

**Sec. 1038.** 2007 c 520 s 1075 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF INFORMATION SERVICES**

Wheeler Block Development--Department of Information Services, State Patrol, and General Office (08-2-950)

The appropriation in this section is subject to the following conditions and limitations: Planning funds are provided solely to lease/develop state office buildings and facilities for the department of information services on the "Wheeler block" of the east capitol campus. The office buildings shall be constructed and financed so that agencies' occupancy costs per gross square foot or per employee will not exceed 110 percent of comparable private market rental rates per gross square foot or per employee. The comparable general office space rate shall be calculated based on recent Thurston county leases of new space of at least 100,000 rentable square feet adjusted for known escalation clauses, expected inflation, and differences in the level of service provided by the comparable leases as determined by the department in consultation with the department of general administration. In addition to the department of information services, state agency tenants shall include the state patrol and general office facilities for small agencies and offices. The department shall design and operate the general office facilities for small agencies and offices as a demonstration of the efficiencies gained from the integration of office space and telecommunications and computer technology. The demonstration project shall provide office space, furniture, and telecommunications and computer technology as a single package. The facility shall be designed so that small agencies and offices can move in and out of the facility without the typical moving expenses that result from individual agency ownership of furniture and technology. The facility for small agencies and offices shall also provide for staffing and space efficiencies resulting from central reception, and support services and spaces. The department of general administration shall coordinate with state agency tenants of the existing general administration building that will not be relocated to the new facilities of the "Wheeler block" for occupancy of state-owned or existing leased facilities (~~vacated by the state patrol or the~~

~~department of information services)) within Thurston county prior to relocation to new or not currently state-owned or leased facilities. The department shall consider alternatives for backfilling vacated state patrol or department of information services leased facilities when possible.~~

Appropriation:

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

**Sec. 1039.** 2007 c 520 s 1090 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

Pritchard Building Rehabilitation (~~((08-2-017))~~) (08-2-850)

Appropriation:

State Building Construction Account--State ( <del>(\$1,100,000)</del> )	\$800,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$0
TOTAL .....	<del>(\$1,100,000)</del> \$800,000

**NEW SECTION. Sec. 1040.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE MILITARY DEPARTMENT**

Flood Warning Systems (08-2-851)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the emergency management division in consultation with the department of ecology, the department of community, trade, and economic development, the Washington association of counties, the United States army corps of engineers, the national oceanic and atmospheric association, and the national weather service to develop the following:

- (1) An inventory and description of flood warning systems currently in place in flood hazard areas of the state, including manual systems and electronic systems;
- (2) A needs assessment indicating what specific areas of the state could be better served by flood warning systems based on flooding areas mapped under the federal emergency management act. The needs assessment must include recommendations regarding how to make timely notification of flood warnings and how to gather and share data about potential flood areas;
- (3) An information bank of flood warning systems, with descriptions of available and emerging technologies, and estimates of the costs of purchasing, installing, and maintaining these systems;
- (4) Sources of potential federal assistance for local flood warning systems; and
- (5) Recommendations to assist local governments in the financing of capital costs of flood warning systems, including the potential to modify existing state programs.

The recommendations must be reported to the office of financial management and legislature by December 15, 2009.

Appropriation:

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

(End of part)

**PART 2  
HUMAN SERVICES**

**NEW SECTION. Sec. 2001.** A new section is added to 2007 c 520 (uncodified) to read as follows:

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**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

**Community and Technical College Mapping (08-2-950)**

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the Washington association of sheriffs and police chiefs to include facilities on community and technical college campuses in the statewide first responder building mapping information system.

**Appropriation:**

State Building Construction Account--State . . .	\$1,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$746,000
TOTAL . . . . .	\$1,746,000

**Sec. 2002.** 2007 c 520 s 2007 (uncodified) is amended to read as follows:

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

**Fircrest School - Health and Safety Improvements (06-1-852)**

**Reappropriation:**

<del>Charitable, Educational, Penal, and Reformatory Institutions Account--State . . . . .</del>	<del>(\$400,000)</del>
State Building Construction Account--State . . . . .	\$372,000
Prior Biennia (Expenditures) . . . . .	\$350,000
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$750,000)</del>
	\$722,000

**Sec. 2003.** 2007 c 520 s 2021 (uncodified) is amended to read as follows:

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

**Capital Project Management (08-1-110)**

**Appropriation:**

Charitable, Educational, Penal, and Reformatory Institutions Account--State . . . . .	<del>(\$2,555,000)</del>
	\$2,305,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$11,870,000
TOTAL . . . . .	<del>(\$14,425,000)</del>
	\$14,175,000

**Sec. 2004.** 2007 c 520 s 2037 (uncodified) is amended to read as follows:

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

**Fircrest Campus Master Plan (08-2-850)**

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

- (1) The department shall resume and complete a master plan of the portion of the Fircrest campus that is not utilized by the Fircrest school or the department of health.
- (2) In drafting the master plan, the department shall consult with the following:
  - (a) The city of Shoreline;
  - (b) The department of natural resources;
  - (c) The department of health regarding their master planning effort;
  - (d) Representatives of institutions of higher education with whom the department has a partnership; and
  - (e) Representatives of the Shoreline community and neighboring communities.
- (3) The master plan must include a plan for the future of the property, including recommendations for alternative uses such as affordable housing and smart growth options. The hybrid

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option as described in the Fircrest excess property report dated January 14, 2008, must be used for the purposes of the master plan. The development of the master plan must not prohibit the potential future expansion of the public health laboratory by the department of health.

(4) The department must report to the appropriate committees of the legislature and the office of financial management by ~~(January 1, 2008)~~ December 1, 2010.

**Appropriation:**

State Building Construction Account--State . . . . .	<del>(\$175,000)</del>
	\$445,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$175,000)</del>
	\$445,000

**Sec. 2005.** 2007 c 520 s 2029 (uncodified) is amended to read as follows:

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

**Special Commitment Center Medium Management Housing Addition (08-2-505)**

The appropriation in this section is subject to the following conditions and limitations: Funding is for the evaluation of design alternatives to meet programmatic needs and to add residential space to existing facilities by remodeling existing residential space and converting existing program space to residential space for additional beds.

**Appropriation:**

State Building Construction Account--State . . . . .	<del>(\$1,000,000)</del>
	\$1,275,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$1,000,000)</del>
	\$1,275,000

**Sec. 2006.** 2007 c 520 s 2032 (uncodified) is amended to read as follows:

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

**Western State Hospital Laundry Upgrades (08-1-325)**

**Appropriation:**

State Building Construction Account--State . . . . .	<del>(\$885,000)</del>
	\$2,858,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$885,000)</del>
	\$2,858,000

**Sec. 2007.** 2007 c 520 s 2042 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

**Public Health Laboratory Addition (08-2-003)**

**Appropriation:**

State Building Construction Account--State . . . . .	<del>(\$1,184,000)</del>
	\$2,012,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	<del>(\$8,984,000)</del>
	\$8,156,000
TOTAL . . . . .	\$10,168,000

**Sec. 2008.** 2007 c 520 s 2045 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

**Drinking Water Assistance Program (06-4-001)**

**Reappropriation:**

Drinking Water Assistance Account--Federal . . . . .	\$18,588,000
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Appropriation:

Drinking Water Assistance Account--Federal	(( <del>\$54,300,000</del> ))
	<u>\$66,474,000</u>
Prior Biennia (Expenditures)	\$7,086,000
Future Biennia (Projected Costs)	\$99,360,000
TOTAL	(( <del>\$179,334,000</del> ))
	<u>\$191,508,000</u>

**NEW SECTION. Sec. 2009.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Review of Drinking Water Systems (08-2-850)

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

(1) The appropriation in this section is provided solely for the department of health to conduct a statewide review of small public drinking water systems that have or may in the future require significant state resources to resolve urgent threats to public health and safety. A small water system is less than one thousand connections (a group A or group B water system). The department shall evaluate case studies, the two regulatory frameworks in place for small systems, and provide a report to the appropriate legislative committees and the office of financial management with recommendations on early interventions or changes to the regulatory structure that could prevent such problems in the future.

(2) The department shall identify the communities that would benefit from consolidation, regionalization, or other measures that will lead to improved small system regulatory compliance, long-term public health protection, and sustained economic vitality in communities served by small systems. The department shall submit a progress report to the fiscal committees of the legislature and the office of financial management by December 1, 2008, and a final report by June 30, 2009.

Appropriation:

State Building Construction Account--State	\$100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

**NEW SECTION. Sec. 2010.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Walla Walla Nursing Facility (08-2-008)

Appropriation:

State Building Construction Account--State	\$125,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,850,000
TOTAL	\$13,975,000

**Sec. 2011.** 2007 c 520 s 2061 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Corrections Complex: Improve C and D Units Security Features (06-1-046)

Reappropriation:

State Building Construction Account--State	(( <del>\$280,000</del> ))
	<u>\$308,000</u>
Prior Biennia (Expenditures)	\$2,618,000
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$2,898,000</del> ))
	<u>\$2,926,000</u>

**NEW SECTION. Sec. 2012.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Corrections Center: 100-Bed Management and Segregation Unit (00-2-008)

Reappropriation:

State Building Construction Account--State	\$995,000
Prior Biennia (Expenditures)	\$38,443,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$39,438,000

**NEW SECTION. Sec. 2013.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Convert BAR Units from Medium to Close Custody (04-2-004)

Reappropriation:

State Building Construction Account--State	\$110,000
Prior Biennia (Expenditures)	\$17,699,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$17,809,000

**Sec. 2014.** 2007 c 520 s 2054 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Coyote Ridge Corrections Center: Design and Construct Medium Security Facility (98-2-011)

Reappropriation:

State Building Construction Account--State	\$155,459,000
Appropriation:	
State Building Construction Account--State	(( <del>\$13,700,000</del> ))
	<u>\$1,280,000</u>
Prior Biennia (Expenditures)	\$75,449,000
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$244,608,000</del> ))
	<u>\$232,188,000</u>

**Sec. 2015.** 2007 c 520 s 2056 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: North Close Security Compound (04-2-005)

Reappropriation:

State Building Construction Account--State	\$10,482,000
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Appropriation:

State Building Construction Account--State	\$13,007,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$763,000
Subtotal Appropriation	<u>\$13,770,000</u>
Prior Biennia (Expenditures)	\$130,276,000
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$140,758,000</del> ))
	<u>\$154,528,000</u>

**Sec. 2016.** 2007 c 520 s 2058 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Clallam Bay Corrections Center: Replace Support Building Roof (06-1-044)

Reappropriation:

State Building Construction Account--State	(( <del>\$3,930,000</del> ))
	<u>\$3,580,000</u>
Prior Biennia (Expenditures)	\$822,000
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$4,752,000</del> ))
	<u>\$4,402,000</u>

**Sec. 2017.** 2007 c 520 s 2075 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Replace Correctional Industry Roof (06-1-023)

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account--State . . .	<del>(\$1,619,000)</del>
	\$856,000
State Building Construction Account--State	<del>(\$1,338,000)</del>
	\$1,101,000
Subtotal Reappropriation . . . . .	<del>(\$2,957,000)</del>
	\$1,957,000
Prior Biennia (Expenditures) . . . . .	\$494,000
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$3,451,000)</del>
	\$2,451,000

(End of part)

**PART 3  
NATURAL RESOURCES**

**Sec. 3001.** 2007 c 520 s 3001 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Water Supply Facilities (74-2-006)

The reappropriation in this section is subject to the following conditions and limitations: \$300,000 of funds redirected from completed or cancelled projects is provided solely for capital expenses associated with a groundwater study of the upper Kittitas.

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)--State . . .	\$2,756,000
Prior Biennia (Expenditures) . . . . .	\$13,543,000
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$16,299,000

**Sec. 3002.** 2007 c 520 s 3019 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

State Drought Preparedness (05-4-009)

Reappropriation:

State Drought Preparedness--State . . . . .	<del>(\$1,464,000)</del>
	\$1,287,000
Prior Biennia (Expenditures) . . . . .	\$5,865,000
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$7,329,000)</del>
	\$7,152,000

**Sec. 3003.** 2007 c 520 s 3036 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (08-4-010)

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

- (1) Up to \$10,000,000 of the state building construction account--state appropriation is for the extended grant payment to Spokane for the Spokane-Rathdrum Prairie aquifer.
- (2) \$5,000,000 of the state building construction account--state appropriation is provided solely for water quality grants for hardship communities with a population of less than 5,000. The department shall give priority consideration to: (a) Communities subject to a regulatory order from the department of ecology for noncompliance with water quality rules; (b) projects for which design work has been completed; and (c)

projects with a local match from reasonable water quality rates and charges.

(3) \$2,000,000 of the state building construction account--state appropriation is provided solely for the Adams and Lincoln counties ground water mapping project. The project shall submit a report to the appropriate committees of the legislature describing the dynamic relationship between groundwater and surface water in the region. The report shall be submitted by January 1, 2009.

(4) \$2,100,000 of the state toxics control account appropriation is provided solely for wastewater and clean water improvement projects at Illahee state park, Fort Flagler state park, and Larrabee state park.

(5)(a) \$4,400,000 of the state building construction account--state appropriation is provided solely for the Tenino waste water treatment facility and collection system to replace the city of Tenino's septic systems.

(b) ~~(\$18,505,000)~~ \$22,113,000 of the state building construction account--state appropriation is provided solely for the following projects:

Project	Amount
City of Carnation waste water treatment system	\$3,000,000
Mansfield waste water treatment upgrade	\$960,000
Rock Island waste water treatment system	\$870,000
Enumclaw waste water treatment system	\$750,000
Snohomish waste water treatment system	<del>(\$4,925,000)</del>
	\$5,425,000
Freeland sewer district	\$1,000,000
Clark county regional sewer cooperative	\$4,000,000
Town of Warden waste water	\$3,000,000
Gig Harbor waste water system improvements	\$1,000,000
Ritzville waste water treatment system	\$1,608,000
Sultan waste water system improvements	\$500,000

~~((b))~~ (c) The appropriation for entities that are listed in ~~((a))~~ (b) of this subsection shall not affect the entities' eligibility for centennial fund hardship assistance and shall be excluded from any financial hardship calculation that would have the effect of reducing other moneys for which the entity is currently contracted and eligible under WAC 173-95A-030(8), as it existed on the effective date of this section.

((e)) (d) The appropriation to the city of Carnation is for payment to King county for the county connection charge and other eligible costs.

Appropriation:

State Building Construction Account--State	<del>(\$49,225,000)</del>
	\$42,629,000
Water Quality Capital Account--State . . . . .	<del>(\$7,550,000)</del>
	\$5,417,000
State Toxics Control Account--State . . . . .	<del>(\$2,100,000)</del>
	\$18,837,000
Subtotal Appropriation . . . . .	<del>(\$58,875,000)</del>
	\$66,883,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$178,400,000
TOTAL . . . . .	<del>(\$237,275,000)</del>
	\$245,283,000

NEW SECTION. Sec. 3004. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Wastewater Regionalization (08-2-851)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to conduct a review of statewide community wastewater infrastructure needs and identify communities that would benefit from regional wastewater infrastructure and identify any barriers to regionalization these communities may face. The department must submit an interim report to the appropriate legislative



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committees and the office of financial management by November 30, 2008, with a final report due by June 30, 2009.

Appropriation:

State Building Construction Account--State . . . .	\$100,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$100,000

**NEW SECTION, Sec. 3005.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Wastewater Systems Case Studies (08-2-852)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department and department of community, trade, and economic development to develop a set of case studies of wastewater systems, based on the small communities initiative's action list, that require significant state financial and technical resources to resolve urgent threats to public health, safety, and environmental quality. The department shall provide recommendations for early interventions to prevent similar problems with small communities in the future. The recommendations must be provided to the appropriate legislative committees and the office of financial management by November 30, 2008.

Appropriation:

State Building Construction Account--State . . . .	\$75,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$75,000

**Sec. 3006.** 2007 c 520 s 3037 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Toxic Sites in Puget Sound (08-4-005)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the clean up of contaminated sites that lie adjacent to and are within one-half mile of Puget Sound. Clean ups shall include orphan and abandoned sites that pose a threat to Puget Sound with the highest priority sites being cleaned up first. The department shall provide the Puget Sound partnership, as created by chapter 341, Laws of 2007, the opportunity to review and provide comment on proposed projects and activities recommended for funding. This review shall be consistent with the funding schedule for the program.

Appropriation:

State Toxics Control Account--State . . . . .	<del>(\$4,000,000)</del>
	\$6,767,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$18,820,000
TOTAL . . . . .	<del>(\$22,820,000)</del>
	\$25,587,000

**Sec. 3007.** 2007 c 520 s 3045 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Reduce Health Risks from Toxic Diesel Pollution (08-4-024)

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

(1) ~~(\$4,840,000)~~ \$5,380,000 of the appropriation is provided solely for clean diesel school bus (diesel retrofits) projects for local school districts, which the department may use for the purposes of RCW 28A.160.205.

(2) ~~(\$2,330,000)~~ \$4,830,000 of the appropriation is provided solely for ~~(emission reduction projects for local governments to retrofit public sector diesel engines to allow~~

~~public sector fleets to reduce their emissions)) clean diesel projects, other than for school buses, as described in RCW 70.94.017(2)(a) and may be distributed through grants to air pollution control authorities.~~

Appropriation:

Local Toxics Control Account--State . . . . .	<del>(\$7,170,000)</del>
	\$10,210,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	<del>(\$7,170,000)</del>
	\$10,210,000

**Sec. 3008.** 2007 c 520 s 3046 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (08-4-008)

Appropriation:

Local Toxics Control Account--State . . . . .	<del>(\$84,475,000)</del>
	\$92,875,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$180,000,000
TOTAL . . . . .	<del>(\$264,475,000)</del>
	\$272,875,000

**Sec. 3009.** 2007 c 520 s 3048 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Safe Soils Remediation Grants (08-4-009)

Appropriation:

State Toxics Control Account--State . . . . .	<del>(\$2,000,000)</del>
	\$4,500,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$4,000,000
TOTAL . . . . .	<del>(\$6,000,000)</del>
	\$8,500,000

**Sec. 3010.** 2007 c 520 s 3050 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Skykomish Cleanup (08-4-020)

The appropriation in this section is subject to the following conditions and limitations: \$3,000,000 of the cleanup settlement account appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 6722 (cleanup settlement account)), Laws of 2008. If the bill is not enacted by June 30, 2008, the amount provided in this section shall lapse.

Appropriation:

State Toxics Control Account--State . . . . .	\$7,000,000
Clean Up Settlement Account--State . . . . .	\$3,000,000
Subtotal Appropriation . . . . .	\$10,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	<del>(\$0)</del>
	\$2,050,000
TOTAL . . . . .	<del>(\$7,000,000)</del>
	\$12,050,000

**NEW SECTION, Sec. 3011.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Mason County Consortium (08-4-851)

Appropriation:

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

**NEW SECTION, Sec. 3012.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

**Flood Protection Study (08-2-855)**

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

The legislature finds that levees across the state provide protection to hundreds of communities from flooding. Many of these levee systems are old, built with substandard materials, and were not designed to provide the level of protection that the communities behind them need. Recent decertification of levees in King and Pierce counties by the United States army corps of engineers indicates a growing problem with levee maintenance. As more levees are decertified, land behind those levees is considered to be located in the regulated floodplain. Because of this, many homeowners and businesses must obtain flood insurance, and new construction projects must meet strict new building codes.

Therefore, the appropriation in this section is provided solely for the department to conduct a study to determine the number of decertified levees in the state and to identify strategies for recertifying the levees so that they provide optimum protection for the communities protected by the levees. The department must prioritize areas to include in the study based on population and the economic impact of potential flood damage.

The study shall include the following components:

(1) A working group of levee managers to advise and inform the study;

(2) A technical review of the structural integrity of levee systems;

(3) An inventory, map, and rate the effectiveness of existing levee systems; and

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

The study must be completed and a report provided to the appropriate legislative committees by July 1, 2009.

Appropriation:

State Building Construction Account--State	....	\$280,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$0
<b>TOTAL</b>	.....	<b>\$280,000</b>

**Sec. 3013.** 2007 c 520 s 3049 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

**Reduce Public Health Risks from Wood Stove Pollution (08-4-019)**

Appropriation:

Wood Stove Education Account--State	.....	\$500,000
Local Toxics Control Account--State	.....	\$1,500,000
<b>Subtotal Appropriation</b>	.....	<b>\$2,000,000</b>
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	(\$2,000,000)
<b>TOTAL</b>	.....	<b>(\$0)</b>
		<b>\$2,000,000</b>

**NEW SECTION. Sec. 3014.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

**Breazeale Interpretive Center (08-2-856)**

Appropriation:

General Fund--Federal	.....	\$495,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$0
<b>TOTAL</b>	.....	<b>\$495,000</b>

**Sec. 3015.** 2007 c 520 s 3060 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

**Facility Preservation - Facilities (06-1-004)**

Reappropriation:

State Building Construction Account--State	..	(\$6,000,000)
		\$4,700,000
Prior Biennia (Expenditures)	.....	\$4,419,000
Future Biennia (Projected Costs)	.....	\$0
<b>TOTAL</b>	.....	<b>(\$10,419,000)</b>
		\$9,119,000

**Sec. 3016.** 2007 c 520 s 3072 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

**Puget Sound Wastewater (06-1-851)**

Reappropriation:

State Building Construction Account--State	..	(\$6,100,000)
		\$5,814,000
Prior Biennia (Expenditures)	.....	\$1,095,000
Future Biennia (Projected Costs)	.....	\$0
<b>TOTAL</b>	.....	<b>(\$7,195,000)</b>
		\$6,909,000

**NEW SECTION. Sec. 3017.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

**Saint Edward State Park Seminary Building: Preservation (08-1-010)**

The appropriation in this section is subject to the following conditions and limitations: Design and construction to stop ground water intrusion, above-ground water intrusion, and internal leakage from the rain leader system.

Appropriation:

State Building Construction Account--State	...	\$2,310,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$12,200,000
<b>TOTAL</b>	.....	<b>\$14,510,000</b>

**Sec. 3018.** 2007 c 520 s 3087 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

**Minor Works - Facility Preservation (08-1-001)**

Appropriation:

State Building Construction Account--State	..	(\$9,000,000)
		\$8,800,000
State Toxics Control Account--State	.....	\$200,000
<b>Subtotal Appropriation</b>	.....	<b>\$9,000,000</b>
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$40,000,000
<b>TOTAL</b>	.....	<b>\$49,000,000</b>

**Sec. 3019.** 2007 c 520 s 3084 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

**Historic Preservation (08-1-002)**

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

~~(1) \$500,000 of the appropriation is provided solely for the design, permits, and drawings for the seminary building at St. Edward State Park.~~

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~~(2) \$500,000 of the appropriation is provided solely for improvements to prevent further degradation of the seminary building.)~~

Appropriation:

State Building Construction Account--State	<del>(\$7,101,000)</del>
	\$6,191,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,500,000
TOTAL	<del>(\$21,601,000)</del>
	\$20,691,000

**Sec. 3020.** 2007 c 520 s 3092 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Trail Development (08-1-008)

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

(1) \$500,000 of the appropriation is provided solely to construct the ecological trail from Baker Bay to the Pacific ocean at Cape Disappointment state park, as identified in the commission's master capital plan.

(2) \$350,000 of the appropriation is provided solely for upgrades to the Squak mountain trail.

(3) The commission shall permit the city of North Bend to install a water line under part of the John Wayne trail. The city shall pay for all project costs and the cost of restoring the trail to the original or improved condition but shall not be charged a fee for the easement.

Appropriation:

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

**Sec. 3021.** 2007 c 520 s 3095 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Lake Sammamish Major Park Upgrade (08-1-014)

Appropriation:

State Building Construction Account--State	<del>(\$1,033,000)</del>
	\$1,183,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$1,033,000)</del>
	\$1,183,000

**NEW SECTION. Sec. 3022.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Ocean City Comfort Station--Fire Damage Repair (08-1-043)

Appropriation:

State Building Construction Account--State	\$181,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$181,000

**NEW SECTION. Sec. 3023.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Flagler: Parkwide Sewage Treatment System (08-1-044)

Appropriation:

State Building Construction Account--State	\$2,773,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,773,000

**NEW SECTION. Sec. 3024.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Bigelow House (08-2-850)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for capital improvements to the Bigelow house. The commission shall accept the donation of the Bigelow house museum, the grounds, and the contents of the Bigelow house museum from the Bigelow house preservation association if the Bigelow house preservation association agrees to continue to provide staff and programming for the museum.

Appropriation:

State Building Construction Account--State	\$100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

**NEW SECTION. Sec. 3025.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Ike Kinswa State Park Improvement (08-2-950)

Appropriation:

Parks Renewal and Stewardship Account--Private/Local	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

**Sec. 3026.** 2007 c 520 s 3102 (uncodified) is amended to read as follows:

**FOR THE ((INTERAGENCY COMMITTEE FOR OUTDOOR)) RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (00-2-001)

Reappropriation:

General Fund--Federal	\$166,000
Salmon Recovery Account--State	<del>(\$1,175,000)</del>
	\$575,000
Subtotal Reappropriation	<del>(\$1,341,000)</del>
	\$741,000
Prior Biennia (Expenditures)	\$100,284,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$101,625,000)</del>
	\$101,025,000

**Sec. 3027.** 2007 c 520 s 3134 (uncodified) is amended to read as follows:

**FOR THE ((INTERAGENCY COMMITTEE FOR OUTDOOR)) RECREATION AND CONSERVATION FUNDING BOARD**

Youth Athletic Fields (06-2-952)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for competitive grants for acquisition, development, and renovation of youth athletic fields. The committee shall follow the applicable rules of the youth athletic facilities program, except that grants for maintenance are not eligible and the amount of a grant need not be in proportion to the population of the city or county where the community

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outdoor athletic facility is located, and if there are not enough project applications submitted in a category within the account to meet the requirement of equal distribution of funds to each category, the recreation and conservation funding board may distribute any remaining funds to other categories within the account.

Reappropriation:

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

Sec. 3028. 2007 c 520 s 3146 (uncodified) is amended to read as follows:

**FOR THE ((INTERAGENCY COMMITTEE FOR OUTDOOR)) RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (08-4-011)

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

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

(2) If additional funds are available after funding the farmlands preservation account projects approved in subsection (1) of this section, the committee may:

(a) Provide one-time grants of up to \$25,000 each to counties requesting assistance in developing farmlands preservation strategies for the purpose of seeking grants from the farmlands preservation account in future grant cycles.

(b) Conduct a second grant cycle in the 2007-2009 biennium for farmlands preservation projects. A ranked list of farmlands preservation projects may be submitted to the governor by November 1, 2007, for approval in the 2008 supplemental capital budget. The governor may remove projects from the list recommended by the committee and shall submit this amended list in the supplemental capital budget request to the legislature.

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

(4) \$627,299 of the appropriation from the riparian protection account is provided solely for the Chehalis river surge plain natural area preserve. This amount shall not be expended for the project until the department of natural resources has completed a management plan for the preserve that maintains recreational access and that management plan is presented to the house of representatives capital budget and senate ways and means committees.

(5) The recreation and conservation funding board shall research hazards to the public from personal high speed watercraft, also known as jet skis, and shall report to the fiscal committees of the legislature by January 1, 2009, with recommendations for increasing public enjoyment and safety when commingling personal high speed watercraft and other forms of motorized and nonmotorized water recreation.

Appropriation:

Outdoor Recreation Account--State . . . . .	\$36,000,000
Farmlands Preservation Account--State . . . . .	\$9,000,000
Riparian Protection Account--State . . . . .	\$19,000,000
Habitat Conservation Account--State . . . . .	\$36,000,000
Subtotal Appropriation . . . . .	\$100,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$280,000,000
TOTAL . . . . .	\$380,000,000

Sec. 3029. 2007 c 520 s 3144 (uncodified) is amended to read as follows:

**FOR THE ((INTERAGENCY COMMITTEE FOR OUTDOOR)) RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (08-4-008)

The appropriation in this section is subject to the following conditions and limitations: \$450,000 of the appropriation is provided solely for grants to local law enforcement and noise enforcement agencies for the enforcement of existing state noise laws and regulations. Grants may be used to acquire noise monitoring equipment and to compensate law enforcement agencies for staff overtime and administrative expenses. Funds for noise enforcement grants shall come from amounts allocated for the purposes specified in RCW 46.09.170(2)(d).

Appropriation:

Nonhighway Off-Road Vehicle Activities Program

Account--State . . . . .	\$9,036,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$42,945,000
TOTAL . . . . .	\$51,981,000

NEW SECTION. Sec. 3030. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE CONSERVATION COMMISSION**

Flood Assistance for Farm Communities (08-4-850)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to restore agricultural infrastructure and equipment necessary to repair, replace, or maintain infrastructure that provides public health and safety, water quality, and fish and wildlife habitat protection, including debris removal, fencing, replacing manure lagoons, and properly functioning equipment and facilities.

Appropriation:

State Building Construction Account--State . . .	\$1,500,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$1,500,000

Sec. 3031. 2007 c 520 s 3155 (uncodified) is amended to read as follows:

**FOR THE STATE CONSERVATION COMMISSION**

Practice Incentive Payment Loan Program (08-4-004)

Appropriation:

Conservation Assistance Revolving Account--State . . . . .	(\$1,000,000)
.....	\$500,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$3,000,000
TOTAL . . . . .	(\$4,000,000)
.....	\$3,500,000

NEW SECTION. Sec. 3032. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE STATE CONSERVATION COMMISSION**

Livestock Nutrient Program (08-4-001)

Appropriation:

Water Quality Capital Account--State . . . . .	\$4,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$4,000,000

Sec. 3033. 2007 c 520 s 3161 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

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Fish and Wildlife Population and Habitat Protection (06-1-003)

The appropriations in this section are subject to the following conditions and limitations: The state building construction account appropriation is provided solely for increasing the allocation for the bank stabilization and fish habitat project on the east fork of the Lewis river.

Reappropriation:

Wildlife Account--State ..... ((~~\$288,750~~))  
 \$289,000

Appropriation:

State Building Construction Account--State .... \$375,000  
 Prior Biennia (Expenditures) ..... ((~~\$311,250~~))  
 \$311,000  
 Future Biennia (Projected Costs) ..... \$0  
 TOTAL ..... ((~~\$600,000~~))  
 \$975,000

Sec. 3034. 2007 c 520 s 3175 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Puget Sound Initiative - Nearshore Salmon Restoration (06-2-001)

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

(1) The appropriations in this section are provided solely for efforts to restore nearshore habitat and estuaries in Puget Sound. The department shall focus on restoring natural nearshore processes, including protection and restoration of beach sediments and removal of existing bulkheads.

(2) The department shall provide the Puget Sound partnership, as created by chapter 341, Laws of 2007 the opportunity to review and provide comment on proposed projects and activities recommended for funding. This review shall be consistent with the funding schedule for the program.

(3) Funded projects require a nonstate match or in-kind contributions. The department shall seek to maximize the amount of nonstate match from local, state, tribal, and federal partners. Individual projects require a minimum 33 percent cash or in-kind match.

(4) Eligible projects must be within Puget Sound and identified by a salmon recovery lead entity or marine resource committee and identified in a current salmon recovery, watershed, or nearshore habitat restoration and protection plan.

(5) Project evaluation criteria shall be developed by the Puget Sound nearshore steering committee. The criteria shall be consistent with the technical guidance developed by the Puget Sound nearshore science team and shall be coordinated with the salmon recovery funding board to ensure that project funding and matching requirements are maximized to the greatest extent possible.

(6) The department shall not utilize any amount of this appropriation to support administration or overhead. Funding to support the administration of the funds and the implementation of selected projects shall be obtained from the department's operating budget.

(7) In recognition of the urgent need to complete the Puget Sound nearshore ecosystem restoration project general investigation, up to \$723,000 of this appropriation may be used to match federal funds implementing the cost-share agreement between the department and the United States army corps of engineers.

(8) ((~~\$3,746,875~~)) \$2,698,735 of the appropriation is provided solely for the following projects:

Project	Amount
Carpenter creek estuary phase 1 (South Kingston road)	\$637,000
Duwamish Garden estuary restoration	(( <del>\$1,400,000</del> ))
	\$300,000
Seahurst Park bulkhead phase II	\$1,100,000
Lower Dosewallips floodplain	\$609,875

Titlow Beach pocket estuary restoration \$51,860

Reappropriation:

State Building Construction Account--State ... \$2,300,000

Appropriation:

State Building Construction Account--State .. \$12,000,000  
 General Fund--Federal ..... \$1,000,000  
 Subtotal Appropriation ..... \$13,000,000  
 Prior Biennia (Expenditures) ..... \$200,000  
 Future Biennia (Projected Costs) ..... \$28,000,000  
 TOTAL ..... \$43,500,000

Sec. 3035. 2007 c 520 s 3179 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Statewide Fencing Renovation and Replacement (08-1-009)

The appropriation in this section is subject to the following conditions and limitations: ((~~\$1,000,000 of the appropriation is provided solely for the replacement of elk fencing lost in the 2005 school fire in the Wooten wildlife area.~~))

(1) Up to \$2,000,000 of the appropriation from the wildlife account that is compensation from the settlement received by the state for damages to the Wooten wildlife area caused by the school fire is for the replacement of elk fencing in the Wooten wildlife area. The department shall contract with another state agency to construct the fence.

(2) \$331,000 of the appropriation is provided solely for the replacement of a barbed wire fence that was destroyed in the Rockpile creek fire of July 2007.

Appropriation:

State Building Construction Account--State ((~~\$2,100,000~~))  
 \$1,431,000  
 Wildlife Account--Private/Local ..... \$2,000,000  
 Subtotal Appropriation ..... \$3,431,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs) ..... \$0  
 TOTAL ..... ((~~\$2,100,000~~))  
 \$3,431,000

Sec. 3036. 2007 c 520 s 3187 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Combined State Agency Aviation Facility (08-1-950)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for predesign and design of a single, consolidated aviation facility, including consolidated operations, at the Olympia airport to house the fixed wing operations of the Washington state patrol, the department of natural resources, and the department of fish and wildlife, and the rotary operations of the department of natural resources. The office of financial management shall not allot design funds until the predesign has undergone a budget evaluation study team review, and the results of the budget evaluation study team review have been provided to the legislative fiscal committees and submitted to the office of financial management for review and approval.

Appropriation:

State Building Construction Account--State ... ((~~\$11,000~~))  
 \$101,000  
 Wildlife Account--State ..... \$12,000  
 Subtotal Appropriation ..... ((~~\$23,000~~))  
 \$113,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs) ..... \$1,608,000  
 TOTAL ..... ((~~\$1,631,000~~))  
 \$1,721,000

NEW SECTION. Sec. 3037. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Okanogan-Similkameen Land Acquisition (08-2-023)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the acquisition of agricultural easements or land as specified for the following properties:

- (1) South end Palmer lake: Agricultural easement;
- (2) Highway 97 near Riverside: Land acquisition;
- (3) McLaughlin Canyon: Agricultural easement;
- (4) Similkameen and Sinlahekin river intersect: Agricultural easement; and
- (5) Buzzard lake: Land acquisition.

Appropriation:

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

**NEW SECTION. Sec. 3038.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Ebey Island Property (08-2-852)

The appropriation in this section is subject to the following conditions and limitations: Up to \$3,300,000 of the appropriation in this section is for the acquisition of the Ebey island property from the YMCA of Snohomish county. The office of financial management shall not allot funds to the department until the appraisal is complete and shall not allot more than the amount of the appraisal. The department shall assess the cost of: (1) Extending the YMCA segment of the Ebey island road one-quarter of a mile; and (2) constructing a parking lot at the end of the road.

Appropriation:

State Building Construction Account--State	...	\$2,300,000
General Fund--Federal	.....	\$1,000,000
Subtotal Appropriation	.....	\$3,300,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$0
TOTAL	.....	\$3,300,000

**NEW SECTION. Sec. 3039.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Stemilt Basin Acquisition (08-2-029)

Appropriation:

State Building Construction Account--State	....	\$200,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$0
TOTAL	.....	\$200,000

**Sec. 3040.** 2007 c 520 s 3198 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Recreation Capital Renovations (08-2-006)

The appropriation in this section is subject to the following conditions and limitations: \$200,000 of the appropriation is provided solely for trail system signage. The department shall not plan for or construct new or expanded facilities or trails for off-road vehicles for recreation on state lands until after June 30, 2009, unless the project is already funded, has been considered as part of a landscape-level plan for recreation that has completed state environmental policy act (SEPA) review, which included public participation, and is the best alternative to protect environmental or trust resources and public safety from immediate risk.

Appropriation:

State Building Construction Account--State	...	\$1,065,000
Prior Biennia (Expenditures)	.....	\$0

Future Biennia (Projected Costs)	.....	\$15,278,000
TOTAL	.....	\$16,343,000

**Sec. 3041.** 2007 c 520 s 3211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Combined State Agency Aviation Facility (08-1-952)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for predesign and design of a single, consolidated aviation facility, including consolidated operations, at the Olympia airport to house the fixed wing operations of the Washington state patrol, the department of natural resources, and the department of fish and wildlife, and the rotary operations of the department of natural resources. The office of financial management shall not allot design funds until the predesign has undergone a budget evaluation study team review, and the results of the budget evaluation study team review have been provided to the legislative fiscal committees and submitted to the office of financial management for review and approval.

Appropriation:

Forest Development Account--State	.....	\$15,000
Resource Management Cost Account--State	....	\$16,000
State Building Construction Account--State	...	<del>(\$23,000)</del>
		\$555,000
Subtotal Appropriation	.....	<del>(\$54,000)</del>
		\$586,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$3,783,000
TOTAL	.....	<del>(\$3,837,000)</del>
		\$4,369,000

**Sec. 3042.** 2007 c 520 s 3204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Transfer (08-2-005)

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

(1) The total appropriation is provided to the department solely to transfer from trust status, or enter into fifty year leases for, certain trust lands of statewide significance deemed appropriate for state park, fish and wildlife habitat, natural area preserve, natural resources conservation area, open space, housing and essential government services, or recreation purposes. The approved list of projects is identified in the LEAP capital document 2007-5, developed (~~March 20~~) April 19, 2007.

~~((3))~~ (2) Property subject to lease agreements under this section shall be appraised at fair market value. Lease terms shall be fifty years with options to renew for an additional fifty years. Lease payments shall be lump sum payments for the entire term of the lease at the beginning of the lease. The department shall calculate such lump sum payments using professional appraisal standards. These lease payments may not exceed the fee simple purchase price based on current fair market value and shall be deposited by the department to the common school construction account in the same manner as lease revenues from other common school trust lands. No deduction shall be made for the resource management cost account under RCW 79.64.040.

~~((4))~~ (3) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs.

~~((5))~~ (4) Intergrant exchanges between common school and other trust lands of equal value may occur if the exchange is in the interest of each trust, as determined by the board of natural resources.

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~~((6))~~ (5) Prior to or concurrent with conveyance of these properties, the department, with full cooperation of the receiving agencies, shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer and lease agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose. Transfer and lease agreements may include provisions for receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the original intended public purpose and the department and legislature approves such uses.

~~((7))~~ (6) The department and receiving agencies shall work in good faith to carry out the intent of this section. However, the department or receiving agencies may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the common school trust or the receiving agency.

~~((8))~~ (7) The department shall execute trust land transfers that, after the deduction of reasonable costs as provided in subsection ~~((4))~~ (3) of this section, eighty percent of the total value of transferred property is timber value and is deposited in the common school construction account. To achieve the eighty percent requirement, the department may choose to lease properties originally intended as transfers.

~~((9))~~ (8) On June 30, 2009, the state treasurer shall transfer all remaining uncommitted funds from this appropriation to the common school construction account and the appropriations in this section shall be reduced by an equivalent amount.

Appropriation:

State Building Construction Account--State	.. \$98,985,000
Prior Biennia (Expenditures)	..... \$0
Future Biennia (Projected Costs)	..... \$287,000,000
TOTAL	..... \$385,985,000

**Sec. 3043.** 2007 c 520 s 3214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Conversion Land Acquisition (08-1-950)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for acquisition of working forest lands at risk of conversion to nonforest uses. The legislature finds that the chronic loss of working forest lands threatens the long-term prospects of the timber products industry, which in turn threatens the long-term economic return for the beneficiaries of state trust lands. Acquisition of these conversion lands is intended to help stabilize the primary source of revenue to trust land beneficiaries. The department shall submit a report to the appropriate committees of the legislature by October 1, 2008, indicating the lands purchased under this section, showing the locations, acres, purchase price, and within that purchase price, the value of the property attributed to the future value of timber harvests given an expected rate of return for timber lands, and the value of the property attributed to future development of the property. It is the intention of the legislature to lease or otherwise acquire the development rights of these conversion lands and retain them as long-term working forest lands under the sustainable harvest plan. Working forest lands acquired under this section shall be managed at a level equal to or greater than seventy-five percent of the expected harvest under the sustainable harvest plan. The appropriation provided in this section shall lapse unless chapter 504, Laws of 2007, or similar provisions contained in other legislation, is enacted prior to June 30, 2007. No amounts appropriated in this section shall be expended on the central cascade land exchange unless one of the two following conditions are met: (1) The four Stemilt parcels in T21R20E are excluded from the exchange; or (2) the four Stemilt parcels in T21R20E are included in the exchange and

the department and Chelan county, as chair of the Stemilt partnership, agree on a plan for eventual ownership, disposition, and management of the four Stemilt parcels. The department shall manage cash balances in the natural resources real property replacement account such that cash balances are sufficient for the treasurer transfers required in section 6030 of this act. The department may also transfer funds from the land bank subaccount of the resource management cost account to the natural resources real property replacement account to ensure sufficient cash balances.

Appropriation:

Resource Management Cost Account--State	.. \$40,000,000
Natural Resources Real Property Replacement Account--State	..... \$30,000,000
Subtotal Appropriation	..... \$70,000,000
Prior Biennia (Expenditures)	..... \$0
Future Biennia (Projected Costs)	..... \$0
TOTAL	..... \$70,000,000

**NEW SECTION. Sec. 3044.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Potential School Sites-State Trust Land Study (08-2-854)

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

(1) The joint legislative committee on school construction funding finds that high growth school districts are often unable to acquire lands best suited for siting new schools. Current funding capacity is devoted to current needs and land development in rapidly growing areas of the state competes with the present and future need for undeveloped sites to build new schools.

(2) The appropriation in this section is provided solely for the superintendent of public instruction and the commissioner of public lands to establish a work group to analyze the feasibility of and develop options for using existing state lands in high growth areas of the state for potential future school sites. The work group shall: (a) Prepare an inventory of existing state trust lands suitable for use as school sites; (b) prepare a projection of the needs for school sites in high growth school districts; and (c) develop options for holding and valuing the land for future school district use that are consistent with legal requirements and management objectives for state trust lands and any other state lands.

(3) The work group shall report to the legislature by December 1, 2008.

Appropriation:

Resource Management Cost Account--State	..... \$30,000
Prior Biennia (Expenditures)	..... \$0
Future Biennia (Projected Cost)	..... \$0
TOTAL	..... \$30,000

**Sec. 3045.** 2007 c 520 s 3219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

Energy Freedom Program (E3SHB No. 2939) (06-2-850)

The reappropriation in this section is subject to the following conditions and limitations: If legislation is enacted by June 30, 2009, that moves the energy freedom program to the department of community, trade, and economic development, then the amounts in this section are appropriated to the department of community, trade, and economic development.

Reappropriation:

Energy Freedom Account--State	..... <del>(\$5,971,000)</del>
	..... \$4,471,000
Prior Biennia (Expenditures)	..... \$0
Future Biennia (Projected Costs)	..... \$0
TOTAL	..... <del>(\$5,971,000)</del>

\$4,471,000

(End of part)

**PART 4  
TRANSPORTATION**

**Sec. 4001.** 2007 c 520 s 4004 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

Combined State Agency Aviation Facility (08-2-951)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for predesign and design of a single, consolidated aviation facility, including consolidated operations, at the Olympia airport to house the fixed wing operations of the Washington state patrol, the department of natural resources, and the department of fish and wildlife, and the rotary operations of the department of natural resources. The office of financial management shall not allot design funds until the predesign has undergone a budget evaluation study team review, and the results of the budget evaluation study team review have been provided to the legislative fiscal committees and submitted to the office of financial management for review and approval.

Appropriation:

State Building Construction Account--State . . . ~~(\$12,000)~~  
\$376,000  
Prior Biennia (Expenditures) . . . . . \$0  
Future Biennia (Projected Costs) . . . . . \$813,000  
TOTAL . . . . . ~~(\$825,000)~~  
\$1,189,000

**NEW SECTION. Sec. 4002.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE PATROL**

Higher Education Campus Security Plan (08-2-850)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for a needs analysis and fiscal impact study of higher education campus security as generally described in chapter . . . (Second Substitute House Bill No. 2507), Laws of 2008. If the bill is not enacted by June 30, 2008, the appropriation shall lapse.

Appropriation:

State Building Construction Account--State . . . . \$200,000  
Prior Biennia (Expenditures) . . . . . \$0  
Future Biennia (Projected Costs) . . . . . \$0  
TOTAL . . . . . \$200,000

**NEW SECTION. Sec. 4003.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE PATROL**

DNA Crime Lab Computer System (08-2-952)

Appropriation:

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

**NEW SECTION. Sec. 4004.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE PATROL**

Seattle Crime Lab Expansion (09-2-102)

Appropriation:

State Building Construction Account--State . . . . \$734,000  
Prior Biennia (Expenditures) . . . . . \$0

Future Biennia (Projected Costs) . . . . . \$6,208,000  
TOTAL . . . . . \$6,942,000  
**NEW SECTION. Sec. 4005.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION**

Culvert Replacements (08-1-001)

Appropriation:

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

(End of part)

**PART 5  
EDUCATION**

**Sec. 5001.** 2007 c 520 s 5008 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

School Construction Assistance Grants (08-4-200)

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

(1) For state assistance grants for purposes of calculating square foot eligibility, kindergarten student headcount shall not be reduced by fifty percent.

(2) The legislature has made a commitment to phase in all-day kindergarten programs beginning with the 2007-08 school year. However, the legislature finds that one potential barrier to successful expansion of all-day kindergarten programs may be a lack of facilities that meet the requirements of an all-day kindergarten program. The office of the superintendent of public instruction, in consultation with the school facilities citizen advisory panel, shall examine alternatives for addressing school facilities needs for all-day kindergarten programs, including adapting existing unused space, creating innovative public-private partnerships and partnerships with early learning providers, shifting the location of current programs within a district or a school, and temporary, limited use of portables. The office of the superintendent of public instruction shall submit a report to the capital budget committee of the house of representatives and the ways and means committee of the senate by September 1, 2007, with recommendations on preferred alternatives and an analysis of the feasibility and cost of implementing the alternatives.

(3) Within the amounts appropriated in this section, the office of the superintendent of public instruction shall review and evaluate the cost and other implications of changing the current annual release cycle for the school construction assistance program. The office of the superintendent of public instruction shall prepare a report resulting from their review and evaluation by December 1, 2008. This report must include a specific plan for implementing the change in the 2009-2011 biennium.

Appropriation:

State Building Construction Account--State  
..... ~~(\$109,521,000)~~  
\$22,394,000

Common School Construction Account--State  
..... ~~(\$770,658,000)~~  
\$769,185,000

Common School Reimbursable Construction  
Account--State . . . . . \$180,000  
Subtotal Appropriation . . . . . ~~(\$880,359,000)~~  
\$791,759,000

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



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Future Biennia (Projected Costs) . . . . .	(\$3,500,725,000)
	\$3,495,689,000
TOTAL . . . . .	(\$4,381,084,000)
	\$4,287,448,000

**NEW SECTION. Sec. 5002.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Aviation High School (08-1-002)

The appropriation in this section is subject to the following conditions and limitations: \$900,000 of the appropriation in this section is provided solely for design costs for a new facility at Aviation high school, to include space that would be colocated at the museum of flight on east marginal way. The office of financial management shall not allot funds for design until the Highline school district has secured an operating agreement for a high school program at the museum of flight site.

Appropriation:

State Building Construction Account--State . . .	\$1,175,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$1,175,000

**NEW SECTION. Sec. 5003.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Greenbridge Early Learning Center (08-1-003)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the Puget Sound education district for building the center for the thrive-by-five program.

Appropriation:

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

**NEW SECTION. Sec. 5004.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

East Yakima Early Learning Center (08-4-860)

Appropriation:

State Building Construction Account--State . . .	\$100,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$100,000

**NEW SECTION. Sec. 5005.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

North Central Technical Skills Center (08-4-861)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to purchase the option on property owned by the port of Chelan for the north central technical skills center.

Appropriation:

School Construction and Skill Centers	
Building Account--State . . . . .	\$50,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$50,000

**NEW SECTION. Sec. 5006.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Seattle Skills Center Feasibility Study (08-4-858)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for completion of a comprehensive study for the development of skills center programs in the Seattle school district.

Appropriation:

School Construction and Skill Centers	
Building Account--State . . . . .	\$75,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$75,000

**NEW SECTION. Sec. 5007.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Satellite/Branch Campus Feasibility Studies (08-4-859)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for comprehensive feasibility studies regarding potential skill center satellite or branch campuses in underserved areas of Washington.

Appropriation:

School Construction and Skill Centers	
Building Account--State . . . . .	\$475,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$475,000

**NEW SECTION. Sec. 5008.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

K-12 Formula Methods Study (08-2-856)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the office of the superintendent of public instruction to convene a work group to develop methods and options for making the current school construction assistance grant program more transparent in terms of the formula components, assumptions, and expected funding sources for projects funded from the grant program. Within this amount, the office of the superintendent of public instruction shall also develop a pilot template for providing information related to funding sources, including the amount of either bond or other local sources, or both, estimated for each project released in fiscal year 2009. The office of the superintendent of public instruction shall update and consult with the joint legislative task force on school construction funding as work progresses on this effort and must provide a final report to the task force by October 1, 2008.

Appropriation:

Education Construction Account--State . . . . .	\$150,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$150,000

**NEW SECTION. Sec. 5009.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Regional School Construction Assistance Program (08-2-857)

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The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the office of the superintendent of public instruction to develop and implement a regional school construction technical assistance program for school districts primarily delivered through educational service districts. The program will be prioritized towards school districts with the greatest need in terms of school construction management and school construction capabilities. In developing and implementing this program, to the maximum extent possible and appropriate, the office of the superintendent of public instruction shall receive assistance from the architectural and engineering services division of the department of general administration and the construction services group based out of educational service district 112. As part of the work, the office of the superintendent of public instruction shall review voluntary model contracts for school construction.

Appropriation:

Education Construction Account--State . . . . .	\$1,100,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL . . . . .</b>	<b>\$1,100,000</b>

Sec. 5010. 2007 c 520 s 5010 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Vocational Skills Centers (08-4-300)

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

- (1) \$9,362,000 from this appropriation is provided solely for minor capital projects at all of the state's skills centers ranked with a "severity score" of 40 points or more.
- (2) \$24,400,000 from this appropriation is provided solely for the design and construction of the Skagit Valley vocational skills center.
- (3) ~~(\$16,366,000)~~ \$15,366,000 from this appropriation is provided solely for the design and construction of the Yakima Valley technical skills center.
- (4) \$23,161,000 from this appropriation is provided solely for the design and construction of the Sno-Isle skills center.
- (5) \$1,118,000 from this appropriation is provided solely for the design and construction of the Clark county skills center.
- (6) \$300,000 from this appropriation is provided solely for the completion of the new market skills center project and to address storm water issues.

Appropriation:

State Building Construction Account--State <del>(((\$74,707,000))</del>	<u>\$64,354,000</u>
<u>School Construction and Skill Centers</u>	
Building Account--State . . . . .	\$9,353,000
Subtotal Appropriation . . . . .	\$73,707,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$83,984,000
<b>TOTAL . . . . .</b>	<b><del>(((\$158,691,000))</del></b>
	<u>\$157,691,000</u>

Sec. 5011. 2007 c 520 s 5014 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

K-12 Inventory Pilot Project (08-2-851)

~~((The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the office of the superintendent of public instruction to define and develop a pilot information management system for public school facilities, building on the experience of the community and technical college facilities information management system. Participating school districts must represent a cross-section of~~

~~large and small districts, urban and rural districts, and districts with facilities of varying age and condition. The system must allow for the efficient transfer of information between the office of the superintendent of public instruction and participating school districts. The inventory system must include, but not be limited to, facility and site information necessary for appropriate facility stewardship. Data elements may include facility location, condition, type, current use, size, date and cost of original construction, the cost of any major remodeling or renovation, and energy information. By December 1, 2007, the office of the superintendent of public instruction shall provide a report to the appropriate legislative fiscal committees on the inventory system's scope, potential school district participants, and an implementation plan for the pilot group of school districts.))~~

Appropriation:

Education Construction Account--State . . . . .	<del>(((\$900,000))</del>
	<u>\$50,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL . . . . .</b>	<b><del>(((\$900,000))</del></b>
	<u>\$50,000</u>

NEW SECTION. Sec. 5012. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Grant County Skills Center (08-4-854)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the Grant county/Moses Lake school district skills center.

Appropriation:

School Construction and Skill Centers	
Building Account--State . . . . .	\$927,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL . . . . .</b>	<b>\$927,000</b>

NEW SECTION. Sec. 5013. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Northeast King County Skills Center (08-4-855)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the northeast King county school district skills center.

Appropriation:

School Construction and Skill Centers	
Building Account--State . . . . .	\$550,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL . . . . .</b>	<b>\$550,000</b>

NEW SECTION. Sec. 5014. A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Pierce County Skills Center (08-4-856)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the Pierce county skills center. The office of financial management shall not allot design funds until the predesign has undergone a budget evaluation study team review and the results of the budget evaluation study team review have been provided to the legislative fiscal committees and submitted to the office of financial management for review

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and approval. The predesign and design shall identify options for construction of the facility in two phases.

Appropriation:

School Construction and Skill Centers	
Building Account--State	\$3,070,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,070,000

**NEW SECTION. Sec. 5015.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Potential School Sites - State Trust Lands Study (08-2-860)

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

(1) The joint legislative committee on school construction funding finds that high growth school districts are often unable to acquire lands best suited for siting new schools. Current funding capacity is devoted to current needs and land development in rapidly growing areas of the state competes with the present and future need for undeveloped sites to build new schools.

(2) The appropriation in this section is provided solely for the superintendent of public instruction and the commissioner of public lands to establish a work group to analyze the feasibility of and develop options for using existing state lands in high growth areas of the state for potential future school sites. The work group shall: (a) Prepare an inventory of existing state trust lands suitable for use as school sites; (b) prepare a projection of the needs for school sites in high growth school districts; and (c) develop options for holding and valuing the land for future school district use that are consistent with legal requirements and management objectives for state trust lands and any other state lands.

(3) The work group shall report to the legislature by December 1, 2008.

Appropriation:

Education Construction Account--State	\$25,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000

**NEW SECTION. Sec. 5016.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Enrollment Projections Evaluation Study (08-2-859)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of the superintendent of public instruction to contract with a research organization to conduct an evaluation of the accuracy and reliability of the current method used for forecasting school district enrollment for determining eligibility for the school assistance program. This evaluation must also include a review of different methodologies used by school districts in projecting their enrollment for capital planning and budgeting purposes. A final report resulting from this evaluation must be submitted by January 1, 2009.

Appropriation:

Education Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

**Sec. 5017.** 2007 c 520 s 5016 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

Minor Works - Facility Preservation (08-1-005)

Appropriation:

State Building Construction Account--State	<del>(\$770,000)</del>
	\$470,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,500,000
TOTAL	<del>(\$3,270,000)</del>
	\$2,970,000

**Sec. 5018.** 2007 c 520 s 5017 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

New Physical Education Center (08-2-001)

Appropriation:

State Building Construction Account--State	<del>(\$9,000,000)</del>
	\$9,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$9,000,000)</del>
	\$9,300,000

**NEW SECTION. Sec. 5019.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

UW Tacoma - Land Acquisition (09-2-003)

Appropriation:

Education Construction Account--State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

**NEW SECTION. Sec. 5020.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

UW Tacoma - Soils Remediation (08-2-852)

Appropriation:

State Toxics Control Account--State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

**NEW SECTION. Sec. 5021.** A new section is added to 2007 c 520 (uncodified) to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Burke Museum Renovation (08-2-850)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a predesign study for renovation of the Burke museum. The predesign must include a feasibility study and plan for covering at least one-third of the projected renovation cost through nonstate sources.

Appropriation:

State Building Construction Account--State	\$300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

**Sec. 5022.** 2007 c 520 s 5086 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

Dean Hall Renovation (06-1-004)

The appropriation in this section is subject to the following conditions and limitations: \$1,300,000 of the appropriation is provided solely for furnishings and equipment.

Reappropriation:

State Building Construction Account--State	\$924,000
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Appropriation:

State Building Construction Account--State	<del>(\$23,200,000)</del>
	\$24,500,000
Prior Biennia (Expenditures)	\$1,276,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$25,400,000)</del>
	\$26,700,000

Sec. 5023. 2007 c 520 s 5100 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Daniel J. Evans Building - Modernization (04-2-006)

The appropriation in this section is subject to the following conditions and limitations: \$1,983,000 of the appropriation is provided solely to finish renovation of the library building by addressing issues of the aging infrastructure while incorporating programmatic needs of the institution.

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$20,250,000
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Appropriation:

Education Construction Account--State	\$1,465,000
State Building Construction Account--State	\$518,000
Subtotal Appropriation	\$1,983,000
Prior Biennia (Expenditures)	\$24,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$44,750,000)</del>
	\$46,733,000

Sec. 5024. 2007 c 520 s 5117 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Health, Safety, and Code (06-1-082)

Reappropriation:

State Building Construction Account--State	<del>(\$850,000)</del>
	\$727,000
Prior Biennia (Expenditures)	\$1,240,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$2,090,000)</del>
	\$1,967,000

Sec. 5025. 2007 c 520 s 5118 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Infrastructure Preservation (06-1-084)

Reappropriation:

State Building Construction Account--State	<del>(\$850,000)</del>
	\$657,000
Prior Biennia (Expenditures)	\$1,375,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$2,225,000)</del>
	\$2,032,000

Sec. 5026. 2007 c 520 s 5119 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Program (06-2-085)

Reappropriation:

Western Washington University Capital Projects Account--State	<del>(\$2,200,000)</del>
	\$1,239,000
Prior Biennia (Expenditures)	\$5,522,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$7,722,000)</del>
	\$6,761,000

Sec. 5027. 2007 c 520 s 5128 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Pacific - Lewis and Clark Station Camp Park Project (02-S-001)

Reappropriation:

State Building Construction Account--State	\$666,000
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Appropriation:

State Building Construction Account--State	\$1,935,000
Prior Biennia (Expenditures)	\$1,885,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$2,551,000)</del>
	\$4,486,000

NEW SECTION. Sec. 5028. A new section is added to 2007 c 520 (uncodified) to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Olympia - State Capitol Museum: Building Preservation (08-1-002)

Appropriation:

State Building Construction Account--State	\$207,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$207,000

Sec. 5029. 2007 c 520 s 5145 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

Museum System Repair and Upgrades/Preservation (08-1-013)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for preservation projects ~~(and to)~~ system repair, and ~~(upgrade)~~ museum ~~(systems)~~ upgrades to enhance delivery of exhibits and K-12 education and American Indian programs.

Appropriation:

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

Sec. 5030. 2007 c 520 s 5217 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Pierce College Fort Steilacoom: Cascade Core Phase I (06-1-326)

Reappropriation:

State Building Construction Account--State	\$1,000,000
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Appropriation:

State Building Construction Account--State	<del>(\$14,602,000)</del>
	\$17,602,000

Community/Technical College Capital Projects Account--State	\$1,000,000
Subtotal Appropriation	\$18,602,000
Prior Biennia (Expenditures)	\$2,350,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$17,952,000)</del>
	\$21,952,000

Sec. 5031. 2007 c 520 s 5255 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM



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expenses and required reserves pursuant to chapter 39.94 RCW to purchase up to 40 acres of land.

(d) Enter into a financing contract on behalf of Columbia Basin College for up to \$300,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop an academic support and achievement center.

(e) Enter into a financing contract on behalf of Wenatchee Valley College for up to \$3,347,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop a 72 bed student housing facility.

(f) Enter into a financing contract on behalf of Seattle Central Community College for up to \$3,100,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase property adjacent the main campus.

(6) Evergreen State College: Enter into a financing contract for up to \$16,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the college activities building renovation.

(7) Washington state convention and trade center: Enter into a financing contract for up to \$58,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase and renovate the museum condominium unit located adjacent to the state convention center. The purchase price shall not exceed fair market value. A purchase agreement with the owner of the unit on the effective date of this section shall include the following requirements: (a) Upon completion of the purchase of the property, the seller shall retain \$5,750,000 of the sale proceeds in a restricted investment account, reserving such funds for capital costs associated with development of its principal heritage center to be located within the city of Seattle. Principal and accrued earnings in such an account shall be available for expenditure by the seller when the seller or the city of Seattle has executed a construction contract for either a new facility or improvements to an existing structure to serve as the principal heritage center to be operated by the seller within the city; and (b) in the event that the conditions of (a) of this subsection are not met by June 30, 2017, the entire amount in the restricted account shall be transferred to the state general fund and shall represent a recovery of the state's contribution towards the development of the museum. In the event of such a transfer, the rightful ownership of the property by the Washington state convention and trade center shall not be impaired.

(8) Department of information services: Enter into a financing contract for an amount approved by the office of financial management for costs and financing expenses and required reserves pursuant to chapter 39.94 RCW to lease develop or lease purchase a state general office building and facilities for the department of information services on the state-owned property called "the Wheeler block" in Olympia. The office buildings shall be constructed and financed so that agencies occupancy costs per gross square foot or per employee will not exceed 110 percent of comparable private market rental rates per gross square foot or per employee. The comparable general office space rate shall be calculated based on recent Thurston county leases of new space of at least 100,000 rentable square feet adjusted for known escalation clauses, expected inflation, and differences in the level of service provided by the comparable leases as determined by the department in consultation with the department of general administration. In addition to the department of information services, state agency tenants shall include the consolidation of state patrol offices and general office facilities for small agencies and offices. The department of information services shall design and operate the general office facilities for small agencies and offices as a demonstration of the efficiencies gained from the integration of office space and telecommunications and computer technology. The demonstration project shall provide office space, furniture, telecommunications, and computer technology as a single package. The facility shall be designed so that small agencies and offices can move in and out of the facility without the

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typical moving expenses that result from individual agency ownership of furniture and technology. The facility for small agencies and offices shall also provide for staffing and space efficiencies resulting from central reception, support services, and spaces. The office of financial management shall certify to the state treasurer: (a) The project description and dollar amount; and (b) that all requirements of this subsection (8) have been met. Should the department of information services choose to use a financing contract that does not provide for the issuance of certificates of participation, the financing contract shall be subject to approval by the state finance committee as required by RCW 39.94.010. In approving a financing contract not providing for the use of certificates of participation, the state finance committee should be reasonably certain that the contract is excluded from the computation of indebtedness, particularly that the contract is not backed by the full faith and credit of the state and the legislature is expressly not obligated to appropriate funds to make payments. For purposes of this section, "financing contract" includes but is not limited to a certificate of participation and tax exempt financing similar to that authorized in RCW 47.79.140.

(9) Office of the secretary of state: Enter into a financing contract for up to ~~(\$112,942,000)~~ \$134,935,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct the heritage center. The heritage center is one part of a combined facility of the heritage center and executive office building, authorized in subsection (10) of this section. The authorization for financing under this subsection (9) shall lapse unless chapter 523, Laws of 2007 is enacted by June 30, 2007.

(10) Department of general administration:

(a) Enter into a financing contract for up to ~~(\$75,863,000)~~ \$79,981,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct the executive office building. The executive office building is one part of a combined facility of the executive office building and the heritage center authorized in subsection (9) of this section. The authorization for financing under this subsection (10) shall lapse unless chapter 523, Laws of 2007 is enacted by June 30, 2007.

(b) Enter into a financing contract for up to \$17,144,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the rehabilitation of the John L. O'Brien building, subject to approval of the project scope by the speaker of the house of representatives and the chief clerk of the house of representatives.

(c) Enter into a financing contract for up to \$2,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the "Perry street child care site" renovations and purchase.

(d) Enter into a financing contract for up to \$2,685,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for land acquisition in Olympia, Washington.

(11) Department of ecology: Enter into a financing contract for up to \$11,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to rebuild the east wall of the department of ecology's headquarters building in Lacey, Washington.

**Sec. 6002.** RCW 43.155.050 and 2007 c 520 s 6036 are each amended to read as follows:

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

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emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. For the 2007-2009 biennium, moneys in the account may be used for grants for projects identified in section 138, chapter 488, Laws of 2005, for the infrastructure investment system implementation plan identified in section 1022 of this act; for the interest rate buy-down pilot program identified in section 1004 of this act; and for the housing assistance, weatherization, and affordable housing program identified in section 1005 of this act.

(2) The job development fund is hereby established in the state treasury. Up to fifty million dollars each biennium from the public works assistance account may be transferred into the job development fund. Money in the job development fund may be used solely for job development fund program grants, administrative expenses related to the administration of the job development fund program created in RCW 43.160.230, and for the report prepared by the joint legislative audit and review committee pursuant to RCW 44.28.801(2). Moneys in the job development fund may be spent only after appropriation. The board shall prepare a prioritized list of proposed projects of up to fifty million dollars as part of the department's 2007-09 biennial budget request. The board may provide an additional alternate job development fund project list of up to ten million dollars. The legislature may remove projects from the list recommended by the board. The legislature may not change the prioritization of projects recommended for funding by the board, but may add projects from the alternate list in order of priority, as long as the total funding does not exceed fifty million dollars.

**Sec. 6003.** RCW 48.02.190 and 2007 c 153 s 3 and 2007 c 468 s 1 are each reenacted and amended to read as follows:

(1) As used in this section:

(a) "Organization" means every insurer, as defined in RCW 48.01.050, having a certificate of authority to do business in this state, every health care service contractor, as defined in RCW 48.44.010, every health maintenance organization, as defined in RCW 48.46.020, or self-funded multiple employer welfare arrangement, as defined in RCW 48.125.010, registered to do business in this state. "Class one" organizations shall consist of all insurers as defined in RCW 48.01.050. "Class two" organizations shall consist of all organizations registered under provisions of chapters 48.44 and 48.46 RCW. "Class three" organizations shall consist of self-funded multiple employer welfare arrangements as defined in RCW 48.125.010.

(b)(i) "Receipts" means (A) net direct premiums consisting of direct gross premiums, as defined in RCW 48.18.170, paid for insurance written or renewed upon risks or property resident, situated, or to be performed in this state, less return premiums and premiums on policies not taken, dividends paid or credited to policyholders on direct business, and premiums received from policies or contracts issued in connection with qualified plans as defined in RCW 48.14.021, and (B) prepayments to health care service contractors, as defined in RCW 48.44.010, health maintenance organizations, as defined in RCW 48.46.020, or participant contributions to self-funded multiple employer welfare arrangements, as defined in RCW 48.125.010, less experience rating credits, dividends, prepayments returned to subscribers, and payments for contracts not taken.

(ii) Participant contributions, under chapter 48.125 RCW, used to determine the receipts in this state under this section shall be determined in the same manner as premiums taxable in this state are determined under RCW 48.14.090.

(c) "Regulatory surcharge" means the fees imposed by this section.

(2) The annual cost of operating the office of insurance commissioner shall be determined by legislative appropriation. A pro rata share of the cost shall be charged to all organizations as a regulatory surcharge. Each class of organization shall

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contribute a sufficient amount to the insurance commissioner's regulatory account to pay the reasonable costs, including overhead, of regulating that class of organization.

(3) The regulatory surcharge shall be calculated separately for each class of organization. The regulatory surcharge collected from each organization shall be that portion of the cost of operating the insurance commissioner's office, for that class of organization, for the ensuing fiscal year that is represented by the organization's portion of the receipts collected or received by all organizations within that class on business in this state during the previous calendar year. However, the regulatory surcharge must not exceed one-eighth of one percent of receipts and the minimum regulatory surcharge shall be one thousand dollars.

(4) The commissioner shall annually, on or before June 1st, calculate and bill each organization for the amount of the regulatory surcharge. The regulatory surcharge shall be due and payable no later than June 15th of each year. However, if the necessary financial records are not available or if the amount of the legislative appropriation is not determined in time to carry out such calculations and bill such regulatory surcharge within the time specified, the commissioner may use the regulatory surcharge factors for the prior year as the basis for the regulatory surcharge and, if necessary, the commissioner may impose supplemental fees to fully and properly charge the organizations. Any organization failing to pay the regulatory surcharges by June 30th shall pay the same penalties as the penalties for failure to pay taxes when due under RCW 48.14.060. The regulatory surcharge required by this section is in addition to all other taxes and fees now imposed or that may be subsequently imposed.

(5) All moneys collected shall be deposited in the insurance commissioner's regulatory account in the state treasury which is hereby created.

(6) Unexpended funds in the insurance commissioner's regulatory account at the close of a fiscal year shall be carried forward in the insurance commissioner's regulatory account to the succeeding fiscal year and shall be used to reduce future regulatory surcharges. During the 2007-2009 fiscal biennium, the legislature may transfer from the insurance commissioner's regulatory account to the Washington state heritage center account such amounts as reflect excess fund balance in the account.

(7)(a) Each insurer may annually collect regulatory surcharges remitted in preceding years by means of a policyholder surcharge on premiums charged for all kinds of insurance. The recoupment shall be at a uniform rate reasonably calculated to collect the regulatory surcharge remitted by the insurer.

(b) If an insurer fails to collect the entire amount of the recoupment in the first year under this section, it may repeat the recoupment procedure provided for in this subsection (7) in succeeding years until the regulatory surcharge is fully collected or a de minimis amount remains uncollected. Any such de minimis amount may be collected as provided in (d) of this subsection.

(c) The amount and nature of any recoupment shall be separately stated on either a billing or policy declaration sent to an insured. The amount of the recoupment must not be considered a premium for any purpose, including the premium tax or agents' commissions.

(d) An insurer may elect not to collect the regulatory surcharge from its insured. In such a case, the insurer may recoup the regulatory surcharge through its rates, if the following requirements are met:

(i) The insurer remits the amount of surcharge not collected by election under this subsection; and

(ii) The surcharge is not considered a premium for any purpose, including the premium tax or agents' commission.

**Sec. 6004.** RCW 79.64.020 and 2004 c 199 s 226 are each amended to read as follows:

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A resource management cost account in the state treasury is created to be used solely for the purpose of defraying the costs and expenses necessarily incurred by the department in managing and administering state lands and aquatic lands and the making and administering of leases, sales, contracts, licenses, permits, easements, and rights-of-way as authorized under the provisions of this title. Appropriations from the resource management cost account to the department shall be expended for no other purposes. Funds in the resource management cost account may be appropriated or transferred by the legislature for the benefit of all of the trusts from which the funds were derived. For the 2007-2009 biennium, moneys in the account may be used for the purposes identified in section 3044 of this act.

**Sec. 6005.** RCW 40.14.024 and 2003 c 163 s 3 are each amended to read as follows:

The local government archives account is created in the state treasury. All receipts collected by the county auditors under RCW 40.14.027 and 36.22.175 for local government services, such as providing records scheduling, security microfilm inspection and storage, archival preservation, cataloging, and indexing for local government records and digital data and access to those records and data through the regional branch archives of the division of archives and records management, must be deposited into the account, and expenditures from the account may be used only for these purposes. During the 2007-2009 biennium, the legislature may transfer from the local government archives account to the Washington state heritage center account such amounts as reflect the excess fund balance in the account.

**Sec. 6006.** RCW 36.22.175 and 2003 c 163 s 5 are each amended to read as follows:

(1)(a) In addition to any other charge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for each document recorded. Revenue generated through this surcharge shall be transmitted monthly to the state treasurer for deposit in the local government archives account under RCW 40.14.024. These funds shall be used solely for providing records scheduling, security microfilm inspection and storage, archival preservation, cataloging, and indexing for local government records and digital data and access to those records and data through the regional branch archives of the division of archives and records management.

(b) The division of archives and records management within the office of the secretary of state shall provide records management training for local governments and shall establish a competitive grant program to solicit and prioritize project proposals from local governments for potential funding to be paid for by funds from the auditor surcharge and tax warrant surcharge revenues. Application for specific projects may be made by local government agencies only. The state archivist in consultation with the advisory committee established under RCW 40.14.027 shall adopt rules governing project eligibility, evaluation, awarding of grants, and other criteria including requirements for records management training for grant recipients.

(2) The advisory committee established under RCW 40.14.027 shall review grant proposals and establish a prioritized list of projects to be considered for funding by January 1st of each even-numbered year, beginning in 2002. The evaluation of proposals and development of the prioritized list must be developed through open public meetings. Funding for projects shall be granted according to the ranking of each application on the prioritized list and projects will be funded only to the extent that funds are available. A grant award may have an effective date other than the date the project is placed on the prioritized list.

(3)(a) In addition to any other surcharge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for every document recorded after January 1, 2002. Revenue generated through this surcharge shall be transmitted to

the state treasurer monthly for deposit in the local government archives account under RCW 40.14.024 to be used exclusively for: (i) The construction and improvement of a specialized regional facility located in eastern Washington designed to serve the archives, records management, and digital data management needs of local government; and (ii) payment of the certificate of participation issued for the Washington state heritage center to the extent there is an excess fund balance in the account and fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments on the certificate of participation.

(b) To the extent the facilities are used for the storage and retrieval of state agency records and digital data, that portion of the construction of such facilities used for state government records and data shall be supported by other charges and fees paid by state agencies and shall not be supported by the surcharge authorized in this subsection, except that to the extent there is an excess fund balance in the account and fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments for the Washington state heritage center, the local government archives account under RCW 40.14.024 may be used for the Washington state heritage center.

(c) At such time that all debt service from construction (on such facility) of the specialized regional archive facility located in eastern Washington has been paid, fifty percent of the surcharge authorized by this subsection shall be reverted to the centennial document preservation and modernization account as prescribed in RCW 36.22.170 and fifty percent of the surcharge authorized by this section shall be reverted to the state treasurer for deposit in the archives and records management account to serve the archives, records management, and digital data management needs of local government, except that the state treasurer shall not revert funds to the centennial document preservation and modernization account and to the archives and records management account if fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments on the Washington state heritage center.

**Sec. 6007.** RCW 43.09.282 and 1995 c 301 s 20 are each amended to read as follows:

For the purposes of centralized funding, accounting, and distribution of the costs of the audits performed on local governments by the state auditor, there is hereby created an account entitled the municipal revolving account. The state treasurer shall be custodian of the account. All moneys received by the state auditor or by any officer or employee thereof shall be deposited with the state treasurer and credited to the municipal revolving account. Only the state auditor or the auditor's designee may authorize expenditures from the account. No appropriation is required for expenditures. The state auditor shall keep such records as are necessary to detail the auditing costs attributable to the various types of local governments. During the 2007-2009 fiscal biennium, the legislature may transfer from the municipal revolving account to the Washington state heritage center account such amounts as reflect excess fund balance in the account.

**NEW SECTION. Sec. 6008.** A new section is added to 2007 c 520 (uncodified) to read as follows:

The joint legislative audit and review committee shall conduct an evaluation of the accuracy of capital project cost estimates prepared by state agencies for their budget requests. The evaluation shall include a review of the methods used to prepare estimates at agencies with large capital programs, a review of the process used by the office of financial management and legislative fiscal committees to evaluate project cost estimates, and an analysis of the accuracy of project cost estimates compared to actual project costs over time for a subset of projects. The evaluation will also recommend other areas of capital project risk for assessment in future evaluations. The joint legislative audit and review committee shall submit a report to the relevant fiscal committees of the legislature by August 2009.



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**Sec. 6009.** RCW 70.105D.070 and 2007 c 522 s 954, 2007 c 520 s 6033, 2007 c 446 s 2, and 2007 c 341 s 30 are each reenacted and amended to read as follows:

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

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

(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

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

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

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

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

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

(vii) Hazardous materials emergency response training;

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

(ix) Programs authorized under chapter 70.146 RCW;

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

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

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

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

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

(i) Remedial actions;

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

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

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

(v) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial

resources to clean up and dispose of the vessel, that pose a threat to human health or the environment.

(b) Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that is a Puget Sound partner, as defined in RCW 90.71.010, along with any project that is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, shall, except as conditioned by RCW 70.105D.120, receive priority for any available funding for any grant or funding programs or sources that use a competitive bidding process.

(c) Funds may also be appropriated to the department of health to implement programs to reduce testing requirements under the federal safe drinking water act for public water systems. The department of health shall reimburse the account from fees assessed under RCW 70.119A.115 by June 30, 1995.

(d) To expedite cleanups throughout the state, the department shall partner with local communities and liable parties for cleanups. The department is authorized to use the following additional strategies in order to ensure a healthful environment for future generations:

(i) The director may alter grant-matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of vacant, orphaned, or abandoned property under RCW 70.105D.040(5) that would not otherwise occur;

(ii) The use of outside contracts to conduct necessary studies;

(iii) The purchase of remedial action cost-cap insurance, when necessary to expedite multiparty clean-up efforts.

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

(5) One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. However, during the 1999-2001 fiscal biennium, funding may not be granted to entities engaged in lobbying activities, and applicants may not be awarded grants if their cumulative grant awards under this section exceed two hundred thousand dollars. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

(6) No moneys deposited into either the state or local toxics control account may be used for solid waste incinerator feasibility studies, construction, maintenance, or operation, or, after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

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

(8) During the 2007-2009 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as reflect excess fund balance in the account.

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Sec. 6010. 2007 c 520 s 6032 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--TRANSFERS**

Education Construction Account: For transfer to the Common School Construction, an amount not to exceed . . . . . ~~(\$138,200,000)~~  
\$133,930,000

Education Savings Account: For transfer to the Common School Construction Account, an amount not to exceed . . . . . ~~(\$43,400,000)~~  
\$103,063,000

State Convention and Trade Center Account: For transfer to the Washington Housing Trust Account, an amount not to exceed . . . . . \$8,000,000

Public Works Assistance Account: For transfer to the Washington Housing Trust Account, an amount not to exceed . . . . . \$2,800,000

Local Government Archives Account: For transfer to the Washington State Heritage Center Account . . . \$4,000,000

Insurance Commissioner's Regulatory Account: For transfer to the Washington State Heritage Center Account in July 2008 . . . . . \$1,500,000

Municipal Revolving Account: For transfer to the Washington State Heritage Center Account . . . . \$500,000

Local Toxics Control Account: For transfer to the State Toxics Control Account . . . . . \$3,000,000

Sec. 6011. RCW 67.40.040 and 2007 c 228 s 106 are each amended to read as follows:

(1) The proceeds from the sale of the bonds authorized in RCW 67.40.030, proceeds of the taxes imposed under RCW 67.40.090 and 67.40.130, and all other moneys received by the state convention and trade center from any public or private source which are intended to fund the acquisition, design, construction, expansion, exterior cleanup and repair of the Eagles building, conversion of various retail and other space to meeting rooms, purchase of the land and building known as the McKay Parcel, development of low-income housing, or renovation of the center, and those expenditures authorized under RCW 67.40.170 shall be deposited in the state convention and trade center account hereby created in the state treasury and in such subaccounts as are deemed appropriate by the directors of the corporation.

(2) Moneys in the account, including unanticipated revenues under RCW 43.79.270, shall be used exclusively for the following purposes in the following priority:

- (a) For reimbursement of the state general fund under RCW 67.40.060;
- (b) After appropriation by statute:
  - (i) For payment of expenses incurred in the issuance and sale of the bonds issued under RCW 67.40.030;
  - (ii) For expenditures authorized in RCW 67.40.170, and during the 2007-2009 biennium, the legislature may transfer from the state convention and trade center account to the Washington housing trust account such amounts as reflect the excess fund balance in the account;
  - (iii) For acquisition, design, and construction of the state convention and trade center;
  - (iv) For debt service for the acquisition, design, and construction and retrofit of the museum of history and industry museum property or other future expansions of the convention center as approved by the legislature; and
  - (v) For reimbursement of any expenditures from the state general fund in support of the state convention and trade center; and
- (c) For transfer to the state convention and trade center operations account.

(3) The corporation shall identify with specificity those facilities of the state convention and trade center that are to be financed with proceeds of general obligation bonds, the interest

on which is intended to be excluded from gross income for federal income tax purposes. The corporation shall not permit the extent or manner of private business use of those bond-financed facilities to be inconsistent with treatment of such bonds as governmental bonds under applicable provisions of the Internal Revenue Code of 1986, as amended.

(4) In order to ensure consistent treatment of bonds authorized under RCW 67.40.030 with applicable provisions of the Internal Revenue Code of 1986, as amended, and notwithstanding RCW 43.84.092, investment earnings on bond proceeds deposited in the state convention and trade center account in the state treasury shall be retained in the account, and shall be expended by the corporation for the purposes authorized under chapter 386, Laws of 1995 and in a manner consistent with applicable provisions of the Internal Revenue Code of 1986, as amended.

(5) Subject to the conditions in subsection (6) of this section, starting in fiscal year 2008, the state treasurer shall transfer:

(a) The sum of four million dollars, or as much as may be available pursuant to conditions set forth in this section, from the state convention and trade center account to the tourism enterprise account, with the maximum transfer being four million dollars per fiscal year; and

(b) The sum of five hundred thousand dollars, or as much as may be available pursuant to conditions set forth in this section, from the state convention and trade center account to the tourism development and promotion account, with the maximum transfer being five hundred thousand dollars per fiscal year.

(6)(a) Funds required for debt service payments and reserves for bonds issued under RCW 67.40.030; for debt service authorized under RCW 67.40.170; and for the issuance and sale of financial instruments associated with the acquisition, design, construction, and retrofit of the museum of history and industry museum property or for other future expansions of the center, as approved by the legislature, shall be maintained within the state convention and trade center account.

(b) No less than six million one hundred fifty thousand dollars per year shall be retained in the state convention and trade center account for funding capital maintenance as required by the center's long-term capital plan, facility enhancements, unanticipated replacements, and operating reserves for the convention center operation. This amount shall be escalated annually as follows:

- (i) Four percent for annual inflation for capital maintenance, repairs, and replacement;
  - (ii) An additional two percent for enhancement to the facility; and
  - (iii) An additional three percent for growth in expenditure due to aging of the facility and the need to maintain an operating reserve.
- (c) Sufficient funds shall be reserved within the state convention and trade center account to fund operating appropriations for the annual operation of the convention center.

Sec. 6012. RCW 79.17.010 and 2003 1st sp.s. c 25 s 939 are each amended to read as follows:

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

- (a) Facilitate the marketing of forest products of state lands;
- (b) Consolidate and block-up state lands;
- (c) Acquire lands having commercial recreational leasing potential;
- (d) Acquire county-owned lands;
- (e) Acquire urban property which has greater income potential or which could be more efficiently managed by the department in exchange for state urban lands as defined in RCW 79.19.100; or

(f) Acquire any other lands when such exchange is determined by the board to be in the best interest of the trust for which the state land is held.

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

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

(4) During the biennium ending June 30, ~~((2005, the department, with approval of the board, may exchange any state land and any timber thereon for any land and proceeds of equal value))~~ 2009, for the purposes of maintaining working farm and forest landscapes or acquiring natural resource lands at risk of development, the department, with approval of the board of natural resources, may exchange any state land and any timber thereon for any land and proceeds of equal value, when it can be demonstrated that the trust fiduciary obligations can be better fulfilled after an exchange is completed. Proceeds may be in the form of cash or services in order to achieve the purposes established in this section. Any cash received as part of an exchange transaction shall be deposited in the resource management cost account to pay for administrative expenses incurred in carrying out an exchange transaction. The amount of proceeds received from the exchange partner may not exceed five percent of the total value of the exchange. The receipt of proceeds shall not change the character of the transaction from an exchange to a sale.

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

**Sec. 6013.** RCW 79.17.020 and 2003 1st sp.s. c 25 s 937 and 2003 c 334 s 209 are each reenacted and amended to read as follows:

(1) The board of county commissioners of any county and/or the mayor and city council or city commission of any city or town and/or the board shall have authority to exchange, each with the other, or with the federal forest service, the federal government or any proper agency thereof and/or with any private landowner, county land of any character, land owned by municipalities of any character, and state forest land owned by the state under the jurisdiction of the department, for real property of equal value for the purpose of consolidating and blocking up the respective land holdings of any county, municipality, the federal government, or the state of Washington or for the purpose of obtaining lands having commercial recreational leasing potential.

(2) During the biennium ending June 30, ~~((2005, the department, with approval of the board, may exchange any state forest land and any timber thereon for any real property and proceeds of equal value))~~ 2009, for the purposes of maintaining working farm and forest landscapes or acquiring natural resource lands at risk of development, the department, with approval of the board of natural resources, may exchange any state land and any timber thereon for any land and proceeds of equal value, when it can be demonstrated that the trust fiduciary obligations can be better fulfilled after an exchange is completed. Proceeds may be in the form of cash or services in order to achieve the purposes established in this section. Any cash received as part of an exchange transaction shall be deposited in the forest development account to pay for administrative expenses incurred in carrying out an exchange transaction. The amount of proceeds received from the exchange partner may not exceed five percent of the total value of the exchange. The receipt of proceeds shall not change the character of the transaction from an exchange to a sale.

(3) Prior to executing an exchange under this section, and in addition to the public notice requirements set forth in RCW 79.17.050, the department shall consult with legislative members, other state and federal agencies, local governments,

tribes, local stakeholders, conservation groups, and any other interested parties to identify and address cultural resource issues, and the potential of the state lands proposed for exchange to be used for open space, park, school, or critical habitat purposes.

**Sec. 6014.** 2007 c 520 s 6016 (uncodified) is amended to read as follows:

(1) A joint legislative task force on school construction funding is established to review the following:

(a) The statutory provisions regarding the funding of school construction projects;

(b) Eligibility requirements and distribution formulas for the state's school construction assistance grant program;

(c) Flexibility needed in the system to address diverse district and geographic needs including, but not limited to, the construction needs unique to high growth areas, as well as the needs of school districts that have experienced consecutive school levy failures; and

(d) Potential revenue sources and alternative funding mechanisms for school construction including, but not limited to, funding mechanisms that may: (i) Phase out and replace revenue collected under RCW 82.02.050 through 82.02.100 for school facilities; and (ii) encourage cooperative partnerships with early learning providers, skill centers, community and technical colleges, or public baccalaureate institutions through the use of a supermatch concept.

(2) The office of the superintendent of public instruction shall provide progress updates to the task force on the development of the pilot inventory of school district facility information and the design of a process for developing a ten-year projection of the facility needs of school districts as provided for in section 5014 of this act for review and comment by the task force.

(3)(a) The joint legislative task force on school construction funding shall consist of eight members, two members each, one from each major caucus, from the house of representatives committees on capital budget and education, appointed by the speaker of the house of representatives, and two members each, one from each major caucus, from the senate committees on ways and means and early learning and K-12 education, appointed by the president of the senate.

(b) The president of the senate and the speaker of the house of representatives jointly shall appoint two members representing school districts.

(c) The office of the superintendent of public instruction and the office of financial management shall cooperate with the task force and maintain liaison representatives.

(d) The task force shall coordinate with the appropriate standing committees of the legislature and may consult with other interested parties, as may be appropriate, for technical advice and assistance.

(e) The task force shall select a chair from among its legislative membership.

(4) Staff support for the task force must be provided by the house of representatives office of program research and the senate committee services.

(5) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(6) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The task force must report ~~((its))~~ preliminary findings and recommendations to the appropriate committees of the legislature by December 1, 2007, and a final report by January 1, 2009.

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**NEW SECTION. Sec. 6015.** A new section is added to 2007 c 520 (uncodified) to read as follows:

(1) A joint task force on local financing options for affordable housing, arts, cultural, education, civic center, Puget Sound restoration and preservation, youth recreation, and community development projects within King county is established. The task force shall review only existing King county-specific revenue options to fund housing, arts, cultural, civic center, Puget Sound restoration and preservation, youth recreation, and community development projects in King county. Such options must include, but are not limited to, admissions, car rental, hotel/motel, restaurant, and other sources currently used to pay for the construction, financing, and mitigation of Safeco and Qwest fields and financing of the Kingdome debt.

(2) The speaker of the house of representatives and the majority leader of the senate shall select members from each of the two largest caucuses in the house of representatives and each of the two largest caucuses in the senate to serve on the task force. The governor shall appoint a representative from the governor's office to serve on the task force. The task force shall not exceed seven members in total.

(3) The task force may seek assistance from members of the senate and house of representatives and other interested parties to provide advice and technical assistance.

(4) Staff support for the task force study group must be provided by the house of representatives office of program research and the senate committee services.

(5) Legislative members of the task force may be reimbursed for travel expenses in accordance with RCW 44.04.120.

(6) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The task force must report its findings and recommendations to the appropriate committees of the legislature by December 1, 2008.

(8) The task force study group expires April 30, 2009.

**Sec. 6016.** RCW 43.19.501 and 1994 c 219 s 18 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department of general administration in Thurston county. For the 2007-2009 biennium, moneys in the account may be used for predesign identified in section 1037 of this act.

**Sec. 6017.** RCW 43.99N.060 and 2007 c 241 s 11 are each amended to read as follows:

(1) The stadium and exhibition center account is created in the custody of the state treasurer. All receipts from the taxes imposed under RCW 82.14.0494 and distributions under RCW 67.70.240(5) shall be deposited into the account. Only the director of the office of financial management or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. An appropriation is not required for expenditures from this account.

(2) Until bonds are issued under RCW 43.99N.020, up to five million dollars per year beginning January 1, 1999, shall be used for the purposes of subsection (3)(b) of this section, all remaining moneys in the account shall be transferred to the public stadium authority, created under RCW 36.102.020, to be used for public stadium authority operations and development of the stadium and exhibition center.

(3) After bonds are issued under RCW 43.99N.020, all moneys in the stadium and exhibition center account shall be used exclusively for the following purposes in the following priority:

(a) On or before June 30th of each year, the office of financial management shall accumulate in the stadium and exhibition center account an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued under RCW 43.99N.020;

(b) An additional reserve amount not in excess of the expected average annual principal and interest requirements of bonds issued under RCW 43.99N.020 shall be accumulated and maintained in the account, subject to withdrawal by the state treasurer at any time if necessary to meet the requirements of (a) of this subsection, and, following any withdrawal, reaccumulated from the first tax revenues and other amounts deposited in the account after meeting the requirements of (a) of this subsection; and

(c) The balance, if any, shall be transferred to the youth athletic facility account under subsection (4) of this section.

Any revenues derived from the taxes authorized by RCW 36.38.010(5) and 36.38.040 or other amounts that if used as provided under (a) and (b) of this subsection would cause the loss of any tax exemption under federal law for interest on bonds issued under RCW 43.99N.020 shall be deposited in and used exclusively for the purposes of the youth athletic facility account and shall not be used, directly or indirectly, as a source of payment of principal of or interest on bonds issued under RCW 43.99N.020, or to replace or reimburse other funds used for that purpose.

(4) Any moneys in the stadium and exhibition center account not required or permitted to be used for the purposes described in subsection (3)(a) and (b) of this section shall be deposited in the youth athletic facility account hereby created in the state treasury. Expenditures from the account may be used only for purposes of grants or loans to cities, counties, and qualified nonprofit organizations for community outdoor athletic facilities. For the 2005-2007 biennium, moneys in the account may also be used for a recreation level of service study for local and regional active recreation facilities. Only the director of the recreation and conservation office or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The athletic facility grants or loans may be used for acquiring, developing, equipping, maintaining, and improving community outdoor athletic facilities. Funds shall be divided equally between the development of new community outdoor athletic facilities, the improvement of existing community outdoor athletic facilities, and the maintenance of existing community outdoor athletic facilities. Cities, counties, and qualified nonprofit organizations must submit proposals for grants or loans from the account. To the extent that funds are available, cities, counties, and qualified nonprofit organizations must meet eligibility criteria as established by the director of the recreation and conservation office. The grants and loans shall be awarded on a competitive application process and the amount of the grant or loan shall be in proportion to the population of the city or county for where the community outdoor athletic facility is located. Grants or loans awarded in any one year need not be distributed in that year. In the 2007-2009 biennium, if there are not enough project applications submitted in a category within the account to meet the requirement of equal distribution of funds to each category, the director of the recreation and conservation office may distribute any remaining funds to other categories within the account. The director of the recreation and conservation office may expend up to one and one-half percent of the moneys deposited in the account created in this subsection for administrative purposes.

**NEW SECTION. Sec. 6018.** Section 6002 of this act expires June 30, 2011.

**NEW SECTION. Sec. 6019.** 2007 c 520 s 6006 (uncodified) is repealed.

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**NEW SECTION. Sec. 6020.** Part headings in this act are not any part of the law.

**NEW SECTION. Sec. 6021.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 6022.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of Part)

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On page 1, line 1 of the title, after "budget," strike the remainder of the title and insert "making appropriations and authorizing expenditures for capital improvements; amending RCW 43.155.050, 79.64.020, 40.14.024, 36.22.175, 43.09.282, 67.40.040, 79.17.010, 43.19.501, and 43.99N.060; reenacting and amending RCW 48.02.190, 70.105D.070, and 79.17.020; amending 2007 c 520 ss 1020, 1030, 1034, 1031, 1035, 1036, 1041, 1039, 1021, 1042, 1045, 1048, 1050, 1049, 1058, 1065, 1066, 1067, 1073, 1068, 1075, 1090, 2007, 2021, 2037, 2029, 2032, 2042, 2045, 2061, 2054, 2056, 2058, 2075, 3001, 3019, 3036, 3037, 3045, 3046, 3048, 3050, 3049, 3060, 3072, 3087, 3084, 3092, 3095, 3102, 3134, 3146, 3144, 3155, 3161, 3175, 3179, 3187, 3198, 3211, 3204, 3214, 3219, 4004, 5008, 5010, 5014, 5016, 5017, 5086, 5100, 5117, 5118, 5119, 5128, 5145, 5217, 5255, 5275, 6013, 6032, and 6016 (uncodified); adding new sections to 2007 c 520 (uncodified); creating new sections; repealing 2007 c 520 s 6006 (uncodified); providing an expiration date; and declaring an emergency." And the bill do pass as recommended by the conference committee.

Signed by Senators Fraser, Regala and Brandland; Representatives Fromhold, McDonald and Schual-Berke.

MOTION

Senator Fraser moved that the Report of the Conference Committee on Engrossed Substitute House Bill No. 2765 be adopted.

Senators Fraser and Brandland spoke in favor of passage of the motion.

PERSONAL PRIVILEGE

Senator Fraser: "I just, I was remiss. In trying to zoom my notes as quickly as possible, I meant to also say a great appreciation to Senator Brandland for highly collaborative process between him and me. It was great. We learned from each other and came up with good ideas together and I greatly appreciate Senator Brandland."

The President declared the question before the Senate to be the motion by Senator Fraser that the Report of the Conference Committee on Engrossed Substitute House Bill No. 2765 be adopted.

The motion by Senator Fraser carried and the Report of the Conference Committee was adopted by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2765, as recommended by the Conference Committee.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2765, as recommended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2765, as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

The President signed:

- SECOND SUBSTITUTE SENATE BILL NO. 5596,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5831,
- SENATE BILL NO. 6332,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6665,
- SUBSTITUTE SENATE BILL NO. 6851,
- SECOND SUBSTITUTE SENATE BILL NO. 6855,

SIGNED BY THE PRESIDENT

The President signed:

- SECOND SUBSTITUTE SENATE BILL NO. 6227,
- SUBSTITUTE SENATE BILL NO. 6277,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6295,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6371,
- SUBSTITUTE SENATE BILL NO. 6404,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6438,

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ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6673,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6760,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6776,

On motion of Senator McDermott, Senator Kastama was excused.

PERSONAL PRIVILEGE

Senator Benton: "Thank you Mr. President, I wanted to just, I know that everybody's hungry and wants to go to lunch but before we adjourn I wanted to say to everybody that you may or may not have known that the Governor signed into law this morning the Chelsea Harrison Act. That was sponsored by forty-seven of the forty-nine Senators on this floor. I want to thank everyone of you for three years of helping me get that done. Thank you very much."

APPOINTMENT OF LAURIE A. JINKINS

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9320, Laurie A. Jinkins as a member of the Board of Trustees, Tacoma Community College District No. 22 .

MOTION

There being no objection, on motion of Senator Kohl-Welles the remarks made in honor and recognition of Representative Helen Sommers be spread upon the Journal.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9320, Laurie A. Jinkins as a member of the Board of Trustees, Tacoma Community College District No. 22 and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

MOTION

On motion of Senator Eide, Engrossed Substitute House Bill No. 2765 was immediately transmitted to the House of Representatives.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 42

MOTION

At 12:59 p.m., on motion of Senator Eide, the Senate recessed until 2:30 p.m.

Absent: Senator Kline - 1  
Excused: Senators Brown, Hargrove, Pridemore, Regala, Rockefeller and Zarelli - 6

AFTERNOON SESSION

The Senate was called to order at 2:30 p.m. by President Owen.

Gubernatorial Appointment No. 9320, Laurie A. Jinkins, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Tacoma Community College District No. 22 .

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rasmussen moved that Gubernatorial Appointment No. 9353, Karen Seinfeld, as a member of the Board of Trustees, Bates Technical College District No. 28, be confirmed. Senators Rasmussen and Regala spoke in favor of passage of the motion.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Marr moved that Gubernatorial Appointment No. 9320, Laurie A. Jinkins, as a member of the Board of Trustees, Tacoma Community College District No. 22 , be confirmed.

MOTION

On motion of Senator Regala, Senator Kline was excused.

APPOINTMENT OF KAREN SEINFELD

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9353, Karen Seinfeld as a member of the Board of Trustees, Bates Technical College District No. 28.

Senator Marr spoke in favor of the motion.

MOTION

On motion of Senator Brandland, Senators Delvin and Zarelli were excused.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9353, Karen Seinfeld as a member of the Board of Trustees, Bates Technical College District No. 28 and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

MOTION

On motion of Senator Marr, Senators Brown, Hargrove, Pridemore, Regala and Rockefeller were excused.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 43

MOTION

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Excused: Senators Brown, Hargrove, Kline, Pridemore, Rockefeller and Zarelli - 6

Gubernatorial Appointment No. 9353, Karen Seinfeld, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Bates Technical College District No. 28.

## PERSONAL PRIVILEGE

Senator Delvin: "Thank you Mr. President. I just want to acknowledge someone that I have gotten to know since I've been in the Legislature for fourteen years now. Very few lobbyist because he is one that I would call a friend but he's retiring after twenty-eight years in the Legislature. This is his last session. Mike Kapphahn, he represented Farmers Insurance here for almost I think thirty-one or twenty-eight years but he's in with them for thirty-four years. He's a Vietnam Vet. He's just a down to earth guy, a salt of the earth. He started here in the Legislature back in '71 as a doorman when he doormen and his wife-to-be was a hostess. They met down here. They got married. He went to serve his country, came back after college and he's been here twenty-eight years but there's very few lobbyist, don't mean to offend any lobbyist up there, but you know I've become I would call a true friend. Mike is one and sorely going to miss him here but I just wanted to acknowledge the fact that he's straight forward guy, salt of the earth, you know he's believing when he tells you something and I just wanted to acknowledge that, Mr. President."

## SECOND READING

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

## MOTION

Senator Shin moved that Gubernatorial Appointment No. 9314, Robert Holloway, as a member of the Board of Trustees, Big Bend Community College District No. 18, be confirmed.

Senator Shin spoke in favor of the motion.

## APPOINTMENT OF ROBERT HOLLOWAY

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9314, Robert Holloway as a member of the Board of Trustees, Big Bend Community College District No. 18.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9314, Robert Holloway as a member of the Board of Trustees, Big Bend Community College District No. 18 and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 46

Excused: Senators Brown, Pridemore and Rockefeller - 3

Gubernatorial Appointment No. 9314, Robert Holloway, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Big Bend Community College District No. 18.

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mike Kapphahn, lobbyist for Farmers Insurance who was seated in the gallery.

## PERSONAL PRIVILEGE

Senator Benton: "I promised Mike I wouldn't tell a lot of stories about him so those will go to my grave with me Mike. Mike went to work for Farmers Insurance Group a few years before I did actually. I was in California at the time. Farmers is my old almatater and so we hit it off immediately when I got because we knew a lot of the same people from 4680 Wilshire and the same corporate folks and been through all the trials and tribulations of the company. But I want to tell you, I was on the Insurance Committee in the House and I have been on the Insurance Committee in the Senate ever since I've been here and you know a lot of lobbyist come and go but Mike was always a straight shooter. He'd tell you why he wanted you to support something or not support it but he'd also tell you quite honestly who was against him on it so that you could do your own evaluation. I always appreciated that, the real straight talk and that I think as legislators we come to value members of the Third House that really give you the straight scoop because that's how you can really evaluate something. That is one thing that I will always remember about Mike. Yes we've become very good friends and we will continue to be good personal friends. I will tell you this, his replacement is much better looking than he is but we will remain good friends and it's been a privilege and an honor Mr. President, certainly a privilege to work with Mike Kapphahn over the fourteen years that I have been here and I want to thank you for giving me the opportunity to recognize his service to not only his company but to this Legislature as well. Thank you Mr. President."

## PERSONAL PRIVILEGE

Senator McCaslin: "Since he has an occupation we shouldn't be mentioning on the floor, Mr. X worked for a company, Y. I've never tried to buy a policy from that company but I do remember in Judiciary a woman was testifying and she was in an accident and the Y company that Mr. X works for wasn't taking care of her and I have never seen a man move so fast in my life to get out that door and call his boss to solve her problem but anyway he has been a great, great person around here. I admired him mostly about his hair and I was always envious of that and I'm so happy he's being replaced by a beautiful woman. You know me and women, I don't have any. She's a great, great young lady. Unfortunately she's married and she's much to young for me but other than that she'll probably do a good job. Oh, she's gone? Ok."

## PERSONAL PRIVILEGE

Senator Haugen: "Well, thank you Mr. President. Well, I too would like to stand and say how much I think of this gentleman. You know he does work on both sides of the aisle. He's been really helpful for me when I've had constituent problems but he's also become a personal friend of mine and I can tell you he's a real gentleman and I think a real life hero. I don't think that we often realize what men like he did for us in the Vietnam War and I think its one of the reasons he's such an exceptional individual. He's made such an impact on all of us. We're going to miss him, I hope he has a great retirement. He has a wonderful family. I know his wife has a long list of honey-do's so he's going to be busy. I do hope he still remembers the

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friendships he's made here and I look forward to seeing him on Camano Island. Good luck to you Mike."

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hatfield moved that Gubernatorial Appointment No. 9310, Michael G. Heuer, as a member of the Board of Trustees, Lower Columbia Community College District No. 13, be confirmed.

Senator Hatfield spoke in favor of the motion.

MOTION

On motion of Senator Regala, Senator Kohl-Welles was excused.

APPOINTMENT OF MICHAEL G. HEUER

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9310, Michael G. Heuer as a member of the Board of Trustees, Lower Columbia Community College District No. 13.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9310, Michael G. Heuer as a member of the Board of Trustees, Lower Columbia Community College District No. 13 and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

Gubernatorial Appointment No. 9310, Michael G. Heuer, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Lower Columbia Community College District No. 13.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Morton moved that Gubernatorial Appointment No. 9315, Donald Hover, as a member of the Salmon Recovery Funding Board, be confirmed.

Senator Morton spoke in favor of the motion.

APPOINTMENT OF DONALD HOVER

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9315, Donald Hover as a member of the Salmon Recovery Funding Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9315, Donald Hover as a member of the Salmon Recovery Funding Board and the appointment was confirmed by the following vote: Yeas, 49;

Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

Gubernatorial Appointment No. 9315, Donald Hover, having received the constitutional majority was declared confirmed as a member of the Salmon Recovery Funding Board.

PERSONAL PRIVILEGE

Senator King: "Mr. President, as we come hopefully to the close of this session I wanted to thank you and the members behind the board with you or the bar with you and to thank all the Senators for the warm and very nice welcome that you have given me as my first year here in the session and tell you how much I have appreciated it and how much I have enjoyed working with each and every one of you. Thank you very much."

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McAuliffe moved that Gubernatorial Appointment No. 9267, Stephanie Salzman, as a member of the Professional Educator Standards Board, be confirmed.

Senator McAuliffe spoke in favor of the motion.

APPOINTMENT OF STEPHANIE SALZMAN

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9267, Stephanie Salzman as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9267, Stephanie Salzman as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

Gubernatorial Appointment No. 9267, Stephanie Salzman, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION



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Senator Kohl-Welles moved that Gubernatorial Appointment No. 9297, Frank E. Fennerty, Jr., as a member of the Board of Industrial Insurance Appeals, be confirmed.

Senator Kohl-Welles spoke in favor of the motion.

#### APPOINTMENT OF FRANK E. FENNERTY, JR.

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9297, Frank E. Fennerty, Jr. as a member of the Board of Industrial Insurance Appeals.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9297, Frank E. Fennerty, Jr. as a member of the Board of Industrial Insurance Appeals and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli – 49

Gubernatorial Appointment No. 9297, Frank E. Fennerty, Jr., having received the constitutional majority was declared confirmed as a member of the Board of Industrial Insurance Appeals.

#### MOTION

On motion of Senator King, Senator Morton was excused.

#### REMARKS BY THE PRESIDENT

President Owen: "I have been requested to once again present the President's awards for 2008. However, the President has decided because of some of the new awards that he would ask Weinstein to exempt him from any future liability. Senator Weinstein?"

Senator Weinstein: "So ordered."

#### REMARKS BY THE PRESIDENT

President Owen: "The President made these this year the Awards rather than the most likely to although there is a resemblance to that.

The first one would be the Winsley shrill speech award which would be for those who are new here you'd have to know who Senator Winsley was is presented for reaching normally unreachable decibels when getting in touch over excited while speaking: Senator Pam Roach when fired up.

The next one is the best quote award, unquestionable by Senator Ken Jacobsen who's quoted, 'If you aren't at the table you are probably on the menu.'"

The President has come up with the most improved or however, keep in mind this award is presented by the quality of a speech which, in the President's opinion, is directly related to the length of the speech, short being better. The Senator who has unbelievably shortened her explanations and descriptions of bills although found herself in shock having been gaveled by the

President for going over three minutes although be it once this session goes to, of course; Senator Jeanne Kohl-Welles.

You may be surprised by this one, the most influential; Senator Benton, but what do I mean by the most influential? The unmatched ability when speaking on an otherwise innocuous bill to get people en mass out of their seats to speak who otherwise had absolutely no intentions of speaking.

Runner up, although falling behind this session, is Senator Kline, of course.

The most failed Senator or I will never beat him award goes for the most failed attempts to state a motion faster than the President, Senator Craig Pridemore.

The Kleenex award, just give you three seconds to figure this one out. A winner by a runny nose for emotional speeches including Utsalady woman and Transportation staff introductions: Senator Mary Margaret Haugen.

The broken record award for annoyingly and continuously ending her speeches with, a reminder to all, that this bill has I-960 implications: Senator Janea Holmquist.

The Senator 'No' award, now this is obviously not too tough but this contest once again very close and was won by a whisker and deciding on this very prestigious award the President was convinced by one vote among too many to count. This was a vote that both Senator Holmquist and Honeyford had voted no on but later changed to yes, the choice was made clear when Senator Honeyford showed an incredibly high level of disgust and apparent disappointment in deciding or possibly being intimidated to change his no vote to yes on the President's one and only bill: Senator Honeyford.

The I have no idea what this issue is about or the I spoke and said nothing award, that goes to Senator McAuliffe for her explanation on whatever it was she was explaining to us.

In a related category, the 'What did he say award?' goes for giving the most scientific and least understood speech of the session: Senator Mike Carrell.

The look out its lunch time award for the Senators who are consistently first in line at the Cafeteria often before the food is even ready. It's a very close competition between Senators Benton and Hargrove but Senator Hargrove wins by a belly.

The best speech of the session award, once again no winner.

The special award that the President has come up this session is called Iron Bladder award and it goes to the entire Rostrum staff.

I know you're all disappointed, you didn't get an award but there's always next year."

#### PERSONAL PRIVILEGE

Senator Hewitt: "Thank you Mr. President. Well, once again, it's that time to thank the staff and I hope they are all listening on their squawk boxes. We've heard this year this is one of the most longest-shortest sessions we've ever had. More bills introduced this year than any supplemental year ever, more documentation in front of us, more frustration probably in front of us than we've ever seen before but it's always the people behind the scenes that do so thank you for all the caucus staff, the non-partisan staff, the senate staff, people behind the scenes. We appreciate you, we love you and thank you very much. Thank you Mr. President."

#### MOTION

On motion of Senator Eide, the Senate reverted to the fourth order of business.

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## MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House receded from its amendment to SUBSTITUTE SENATE BILL NO. 6231 and passed the bill without the House amendment.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 6231,

## MESSAGE FROM THE HOUSE

March 11, 2008

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 2279 and asks Senate to recede therefrom.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

## MOTION

Senator Weinstein moved that the Senate recede from its position in the Senate amendment(s) to Substitute House Bill No. 2279.

The President declared the question before the Senate to be motion by Senator Weinstein that the Senate recede from its position in the Senate amendment(s) to Substitute House Bill No. 2279.

The motion by Senator Weinstein carried and the Senate receded from its position in the Senate amendment(s) to Substitute House Bill No. 2279.

## MOTION

On motion of Senator Weinstein, the rules were suspended and Substitute House Bill No. 2279 was returned to second reading for the purposes of amendment.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 2279, by House Committee on Housing (originally sponsored by Representatives Darneille, Springer, Pettigrew, O'Brien, Hasegawa and Santos)

Prohibiting discrimination against affordable housing developments.

The measure was read the second time.

## MOTION

Senator Weinstein moved that the following striking amendment by Senator Weinstein be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** It is the public policy of the state to assist in making affordable housing available throughout the

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state. The legislature recognizes that despite ongoing efforts there is still a lack of affordable housing in many areas. The legislature also recognizes that some local governments have imposed development requirements on affordable housing developments that are not generally imposed on other housing developments. The intent of this legislature is to prohibit discrimination against affordable housing developments.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affordable housing development" means a housing development in which at least twenty-five percent of the dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that is considered affordable by a federal, state, or local government housing program.

(2) "Dwelling unit" means that part of a housing development that is used as a home, residence, or place to sleep by one person or two or more persons maintaining a common household.

(3) "Housing development" means a proposed or existing structure that is used as a home, residence, or place to sleep by one or more persons including, but not limited to, single-family residences, manufactured homes, multifamily housing, group homes, and foster care facilities.

(4) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located.

**NEW SECTION. Sec. 3.** (1) A city, county, or other local governmental entity or agency may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally.

(2) This section does not prohibit any city, county, or other local governmental entity or agency from extending preferential treatment to affordable housing developments intended for including, but not limited to, occupancy by homeless persons, farmworkers, persons with disabilities, senior citizens, or low-income households. Preferential treatment may include, but is not limited to: A reduction or waiver of fees or changes in applicable requirements including, without limitation, architectural requirements, site development requirements, property line requirements, building setback requirements, or vehicle parking requirements; or other treatment that reduces or is likely to reduce the development or operating costs of an affordable housing development.

(3) A city, county, or other local governmental entity or agency may impose and enforce requirements on affordable housing developments as conditions of loans, grants, financial support, tax benefits, subsidy funds, or sale or lease of public property, or as conditions to eligibility for any affordable housing incentive program under RCW 36.70A.540 or any other program involving bonus density, transfer of development rights, waiver of development regulations or fees, or other development incentives.

**NEW SECTION. Sec. 4.** Sections 2 and 3 of this act constitute a new chapter in Title 43 RCW."

Senator Weinstein spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Weinstein to Substitute House Bill No. 2279.

The motion by Senator Weinstein carried and the striking amendment was adopted by voice vote.

## MOTION

There being no objection, the following title amendment was adopted:

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On page 1, line 2 of the title, after "developments;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; and creating a new section."

MOTION

On motion of Senator Weinstein, the rules were suspended, Substitute House Bill No. 2279 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2279 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2279 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SUBSTITUTE HOUSE BILL NO. 2279 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:  
The House insists on its position regarding the House amendment(s) to SUBSTITUTE SENATE BILL NO. 6609 and again asks Senate to concur therein.  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Fairley moved that the Senate adhere to its position and ask the House to recede from the House amendment(s) to Substitute Senate Bill No. 6609.

Senators Fairley spoke in favor of the motion.

The President declared the question before the Senate to be motion by Senator Fairley that the Senate adhere to its position and refused to concur in the House amendment(s) to Substitute Senate Bill No. 6609.

The motion by Senator Fairley carried and the Senate adhered to its position in the House amendment(s) to Substitute Senate Bill No. 6609.

MESSAGE FROM THE HOUSE

March 11, 2008

MR. PRESIDENT:

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The House receded from its amendment, under suspension of rules SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5905 was returned to second reading for the purpose of an amendment. The House adopted the following amendment: 5905-S.E2 AMH MORE FRAS 246, and passed the bill as amended by the House.

On page 1, line 10 of the amendment, after "designs" strike ", such as the green house model or other models" and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Franklin moved that the Senate concur in the House amendment(s) to Second Engrossed Substitute Senate Bill No. 5905.

Senator Franklin spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Franklin that the Senate concur in the House amendment(s) to Second Engrossed Substitute Senate Bill No. 5905.

The motion by Senator Franklin carried and the Senate concurred in the House amendment(s) to Second Engrossed Substitute Senate Bill No. 5905 by voice vote.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5905, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5905, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5905, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 11, 2008

MR. PRESIDENT:  
The House insists on its position regarding the House amendment(s) to SUBSTITUTE SENATE BILL NO. 6426 and again asks Senate to concur therein.  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator McAuliffe moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6426.

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Senator McAuliffe spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator McAuliffe that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6426.

The motion by Senator McAuliffe carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6426 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6426, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6426, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Franklin, Fraser, Hatfield, Haugen, Hewitt, Jacobsen, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, McCaslin, Morton, Murray, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Weinstein and Zarelli - 34

Voting nay: Senators Eide, Fairley, Hargrove, Hobbs, Holmquist, Honeyford, Kauffman, Kline, Kohl-Welles, McDermott, Oemig, Regala, Stevens, Swecker and Tom - 15

SUBSTITUTE SENATE BILL NO. 6426, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Hobbs: "You know I got to tell you I'm really proud of being in the Senate today. Every single Senator, Republican and Democrat came up to me in some form or another and said what the House did was wrong. There was only maybe two members in the House that changed this bill into a study. I had the votes in the House to put it the right way, so, to every member in the Senate, thank you for standing by my side. I'm so proud to be here. Thank you."

#### MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:

The House has passed SENATE BILL NO. 6638, with the following amendment: 6638 AMH HUNT MITC 277

On page 7, line 14, after "affected." insert "Section 2, chapter ..., Laws of 2008 (section 2 of this act), expires July 1, 2009."

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

#### MOTION

Senator Murray moved that the Senate concur in the House amendment(s) to Senate Bill No. 6638.

Senator Murray spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Murray that the Senate concur in the House amendment(s) to Senate Bill No. 6638.

The motion by Senator Murray carried and the Senate concurred in the House amendment(s) to Senate Bill No. 6638 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6638, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6638, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 43

Voting nay: Senators Carrell, Honeyford, McCaslin, Morton, Oemig and Tom - 6

SENATE BILL NO. 6638, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

March 12, 2008

MR. PRESIDENT:

The House receded from its amendment, under suspension of rules ENGROSSED SUBSTITUTE SENATE BILL NO. 6792 was returned to second reading for the purpose of an amendment. The House adopted the following amendment: 6792-S.E AMH KAGI H6062.2, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.34.215 and 2007 c 413 s 1 are each amended to read as follows:

(1) A child may petition the juvenile court to reinstate the previously terminated parental rights of his or her parent under the following circumstances:

(a) The child was previously found to be a dependent child under this chapter;

(b) The child's parent's rights were terminated in a proceeding under this chapter;

(c) The child has not achieved his or her permanency plan within three years of a final order of termination ~~(or if the final order was appealed, within three years of exhaustion of any right to appeal the order terminating parental rights)~~; and

(d) ~~((Absent good cause;))~~ The child must be at least twelve years old at the time the petition is filed. Upon the child's motion for good cause shown, or on its own motion, the court may hear a petition filed by a child younger than twelve years old.

(2) A child seeking to petition under this section shall be provided counsel at no cost to the child.

(3) The petition must be signed by the child in the absence of a showing of good cause as to why the child could not do so.

(4) If, after a threshold hearing to consider the parent's apparent fitness and interest in reinstatement of parental rights, ~~((it appears))~~ the court finds by a preponderance of the evidence that the best interests of the child may be served by

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reinstatement of parental rights, the juvenile court shall order that a hearing on the merits of the petition be held.

(5) The court shall give prior notice for any proceeding under this section, or cause prior notice to be given, to the department, the child's attorney, and the child. The court shall also order the department to give prior notice of any hearing to the child's former parent whose parental rights are the subject of the petition, any parent whose rights have not been terminated, the child's current foster parent, relative caregiver, guardian or custodian, and the child's tribe, if applicable.

(6) The juvenile court shall conditionally grant the petition if it finds by clear and convincing evidence that the child has not achieved his or her permanency plan and is not likely to imminently achieve his or her permanency plan and that reinstatement of parental rights is in the child's best interest. In determining whether reinstatement is in the child's best interest the court shall consider, but is not limited to, the following:

(a) Whether the parent whose rights are to be reinstated is a fit parent and has remedied his or her deficits as provided in the record of the prior termination proceedings and prior termination order;

(b) The age and maturity of the child, and the ability of the child to express his or her preference;

(c) Whether the reinstatement of parental rights will present a risk to the child's health, welfare, or safety; and

(d) Other material changes in circumstances, if any, that may have occurred which warrant the granting of the petition.

(7) In determining whether the child has or has not achieved his or her permanency plan or whether the child is likely to achieve his or her permanency plan, the department shall provide the court, and the court shall review, information related to any efforts to achieve the permanency plan including efforts to achieve adoption or a permanent guardianship.

(8)(a) If the court conditionally grants the petition under subsection (6) of this section, the case will be continued for six months and a temporary order of reinstatement entered. During this period, the child shall be placed in the custody of the parent. The department shall develop a permanency plan for the child reflecting the plan to be reunification and shall provide transition services to the family as appropriate.

(b) If the child must be removed from the parent due to abuse or neglect allegations prior to the expiration of the conditional six-month period, the court shall dismiss the petition for reinstatement of parental rights if the court finds the allegations have been proven by a preponderance of the evidence.

(c) If the child has been successfully placed with the parent for six months, the court order reinstating parental rights remains in effect and the court shall dismiss the dependency.

(9) After the child has been placed with the parent for six months, the court shall hold a hearing. If the placement with the parent has been successful, the court shall enter a final order of reinstatement of parental rights, which shall restore all rights, powers, privileges, immunities, duties, and obligations of the parent as to the child, including those relating to custody, control, and support of the child. The court shall dismiss the dependency and direct the clerk's office to provide a certified copy of the final order of reinstatement of parental rights to the parent at no cost.

(10) The granting of the petition under this section does not vacate or otherwise affect the validity of the original termination order.

~~((+))~~ (11) Any parent whose rights are reinstated under this section shall not be liable for any child support owed to the department pursuant to RCW 13.34.160 or Title 26 RCW or costs of other services provided to a child for the time period from the date of termination of parental rights to the date parental rights are reinstated.

~~((+))~~ (12) A proceeding to reinstate parental rights is a separate action from the termination of parental rights proceeding and does not vacate the original termination of

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parental rights. An order granted under this section reinstates the parental rights to the child. This reinstatement is a recognition that the situation of the parent and child have changed since the time of the termination of parental rights and reunification is now appropriate.

~~((+))~~ (13) This section is retroactive and applies to any child who is under the jurisdiction of the juvenile court at the time of the hearing regardless of the date parental rights were terminated.

(14) The state, the department, and its employees are not liable for civil damages resulting from any act or omission in the provision of services under this section, unless the act or omission constitutes gross negligence. This section does not create any duty and shall not be construed to create a duty where none exists. This section does not create a cause of action against the state, the department, or its employees concerning the original termination.

Sec. 2. RCW 13.34.065 and 2007 c 413 s 5 are each amended to read as follows:

(1)(a) When a child is taken into custody, the court shall hold a shelter care hearing within seventy-two hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending.

(b) Any parent, guardian, or legal custodian who for good cause is unable to attend the shelter care hearing may request that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the parent, the court shall schedule the hearing within seventy-two hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means.

(2)(a) The department of social and health services shall submit a recommendation to the court as to the further need for shelter care in all cases in which it is the petitioner. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3)(a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing, the rights of the parents, and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090; and

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. A parent may not waive his or her right to the shelter care hearing unless he or she appears in court and the court determines that the waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must provide notice to the parents of their rights required under (a) of this subsection and make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

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(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the supervising agency or the department of social and health services to make reasonable efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home;

(e) Is the placement proposed by the agency the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in 25 U.S.C. Sec. 1903, whether the provisions of the Indian child welfare act apply, and whether there is compliance with the Indian child welfare act, including notice to the child's tribe;

(i) Whether, as provided in RCW 26.44.063, restraining orders, or orders expelling an allegedly abusive ((parent)) household member from the home of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed. ~~((However,))~~ The court may not order a parent to undergo examinations, evaluation, or services at the shelter care hearing unless the parent agrees to the examination, evaluation, or service;

(k) The terms and conditions for parental, sibling, and family visitation.

(5)(a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(ii)(A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(B) The release of such child would present a serious threat of substantial harm to such child, notwithstanding an order entered pursuant to RCW 26.44.063; or

(C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court does not release the child to his or her parent, guardian, or legal custodian, ~~((and the child was initially placed with a relative pursuant to RCW 13.34.060(1);))~~ the court shall order ~~((continued))~~ placement with a relative, unless there is reasonable cause to believe the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered. The relative must be willing and available to:

(i) Care for the child and be able to meet any special needs of the child;

(ii) Facilitate the child's visitation with siblings, if such visitation is part of the supervising agency's plan or is ordered by the court; and

(iii) Cooperate with the department in providing necessary background checks and home studies.

(c) If the child was not initially placed with a relative, and the court does not release the child to his or her parent, guardian, or legal custodian, the supervising agency shall make reasonable efforts to locate a relative pursuant to RCW 13.34.060(1).

(d) If a relative is not available, the court shall order continued shelter care or order placement with another suitable person, and the court shall set forth its reasons for the order. If the court orders placement of the child with a person not related to the child and not licensed to provide foster care, the placement is subject to all terms and conditions of this section that apply to relative placements.

(e) Any placement with a relative, or other person approved by the court pursuant to this section, shall be contingent upon cooperation with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other person, subject to review by the court.

(f) Uncertainty by a parent, guardian, legal custodian, relative, or other suitable person that the alleged abuser has in fact abused the child shall not, alone, be the basis upon which a child is removed from the care of a parent, guardian, or legal custodian under (a) of this subsection, nor shall it be a basis, alone, to preclude placement with a relative under (b) of this subsection or with another suitable person under (d) of this subsection.

(6)(a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than thirty days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7)(a) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

(b)(i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

(8)(a) If a child is returned home from shelter care a second time in the case, or if the supervisor of the caseworker deems it necessary, the multidisciplinary team may be reconvened.

(b) If a child is returned home from shelter care a second time in the case a law enforcement officer must be present and file a report to the department.

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**Sec. 3.** RCW 13.34.136 and 2007 c 413 s 7 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the supervising agency's proposed permanency plan must be provided to the supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130((4)) (5), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the agency will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The agency plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The agency shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department.

(v) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

(vi) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130((4)) (5), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date (~~(-preferably before)~~). If the child has been in out-of-home care for fifteen of the most recent twenty-two months, the court shall require the department to file a petition seeking termination of parental rights in accordance with RCW 13.34.145(3)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(3).

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

**Sec. 4.** RCW 26.44.063 and 2000 c 119 s 12 are each amended to read as follows:

(1) It is the intent of the legislature to minimize trauma to a child involved in an allegation of sexual or physical abuse. The legislature declares that removing the child from the home or the care of a parent, guardian, or legal custodian often has the effect of further traumatizing the child. It is, therefore, the legislature's intent that the alleged ~~(offender)~~ abuser, rather than the child, shall be removed or restrained from the ~~((home))~~ child's residence and that this should be done at the earliest possible point of intervention in accordance with RCW 10.31.100, ~~((13.34.130))~~ chapter 13.34 RCW, this section, and RCW 26.44.130.

(2) In any judicial proceeding in which it is alleged that a child has been subjected to sexual or physical abuse, if the court finds reasonable grounds to believe that an incident of sexual or physical abuse has occurred, the court may, on its own motion,

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or the motion of the guardian ad litem or other parties, issue a temporary restraining order or preliminary injunction restraining or enjoining the person accused of committing the abuse from:

- (a) Molesting or disturbing the peace of the alleged victim;
- (b) Entering the family home of the alleged victim except as specifically authorized by the court;
- (c) Having any contact with the alleged victim, except as specifically authorized by the court;
- (d) Knowingly coming within, or knowingly remaining within, a specified distance of a specified location.

(3) If the caretaker is willing, and does comply with the duties prescribed in subsection (8) of this section, uncertainty by the caretaker that the alleged abuser has in fact abused the alleged victim shall not, alone, be a basis to remove the alleged victim from the caretaker, nor shall it be considered neglect.

(4) In issuing a temporary restraining order or preliminary injunction, the court may impose any additional restrictions that the court in its discretion determines are necessary to protect the child from further abuse or emotional trauma pending final resolution of the abuse allegations.

~~((4))~~ (5) The court shall issue a temporary restraining order prohibiting a person from entering the family home if the court finds that the order would eliminate the need for an out-of-home placement to protect the child's right to nurturance, health, and safety and is sufficient to protect the child from further sexual or physical abuse or coercion.

~~((5))~~ (6) The court may issue a temporary restraining order without requiring notice to the party to be restrained or other parties only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

~~((6))~~ (7) A temporary restraining order or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding; and

(b) May be revoked or modified.

~~((7))~~ (8) The person having physical custody of the child shall have an affirmative duty to assist in the enforcement of the restraining order including but not limited to a duty to notify the court as soon as practicable of any violation of the order, a duty to request the assistance of law enforcement officers to enforce the order, and a duty to notify the department of social and health services of any violation of the order as soon as practicable if the department is a party to the action. Failure by the custodial party to discharge these affirmative duties shall be subject to contempt proceedings.

~~((8))~~ (9) Willful violation of a court order entered under this section is a misdemeanor. A written order shall contain the court's directive and shall bear the legend: "Violation of this order with actual notice of its terms is a criminal offense under chapter 26.44 RCW, is also subject to contempt proceedings, and will subject a violator to arrest."

~~((9))~~ (10) If a restraining order issued under this section is modified or terminated, the clerk of the court shall notify the law enforcement agency specified in the order on or before the next judicial day. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from any computer-based criminal intelligence system.

**Sec. 5.** RCW 71.24.035 and 2007 c 414 s 2, 2007 c 410 s 8, and 2007 c 375 s 12 are each reenacted and amended to read as follows:

(1) The department is designated as the state mental health authority.

(2) The secretary shall provide for public, client, and licensed service provider participation in developing the state mental health program, developing contracts with regional support networks, and any waiver request to the federal government under medicaid.

(3) The secretary shall provide for participation in developing the state mental health program for children and

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other underserved populations, by including representatives on any committee established to provide oversight to the state mental health program.

(4) The secretary shall be designated as the regional support network if the regional support network fails to meet state minimum standards or refuses to exercise responsibilities under RCW 71.24.045.

(5) The secretary shall:

(a) Develop a biennial state mental health program that incorporates regional biennial needs assessments and regional mental health service plans and state services for adults and children with mental illness. The secretary shall also develop a six-year state mental health plan;

(b) Assure that any regional or county community mental health program provides access to treatment for the region's residents, including parents who are ~~((defendants))~~ respondents in dependency cases, in the following order of priority: (i) Persons with acute mental illness; (ii) adults with chronic mental illness and children who are severely emotionally disturbed; and (iii) persons who are seriously disturbed. Such programs shall provide:

(A) Outpatient services;

(B) Emergency care services for twenty-four hours per day;

(C) Day treatment for persons with mental illness which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment. In the case of a child, day treatment includes age-appropriate basic living and social skills, educational and prevocational services, day activities, and therapeutic treatment;

(D) Screening for patients being considered for admission to state mental health facilities to determine the appropriateness of admission;

(E) Employment services, which may include supported employment, transitional work, placement in competitive employment, and other work- related services, that result in persons with mental illness becoming engaged in meaningful and gainful full or part-time work. Other sources of funding such as the division of vocational rehabilitation may be utilized by the secretary to maximize federal funding and provide for integration of services;

(F) Consultation and education services; and

(G) Community support services;

(c) Develop and adopt rules establishing state minimum standards for the delivery of mental health services pursuant to RCW 71.24.037 including, but not limited to:

(i) Licensed service providers. These rules shall permit a county-operated mental health program to be licensed as a service provider subject to compliance with applicable statutes and rules. The secretary shall provide for deeming of compliance with state minimum standards for those entities accredited by recognized behavioral health accrediting bodies recognized and having a current agreement with the department;

(ii) Regional support networks; and

(iii) Inpatient services, evaluation and treatment services and facilities under chapter 71.05 RCW, resource management services, and community support services;

(d) Assure that the special needs of persons who are minorities, elderly, disabled, children, low-income, and parents who are ~~((defendants))~~ respondents in dependency cases are met within the priorities established in this section;

(e) Establish a standard contract or contracts, consistent with state minimum standards and RCW 71.24.320~~((:))~~ and 71.24.330~~((, and 71.24.320+))~~, which shall be used in contracting with regional support networks. The standard contract shall include a maximum fund balance, which shall be consistent with that required by federal regulations or waiver stipulations;

(f) Establish, to the extent possible, a standardized auditing procedure which minimizes paperwork requirements of regional support networks and licensed service providers. The audit



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procedure shall focus on the outcomes of service and not the processes for accomplishing them;

(g) Develop and maintain an information system to be used by the state and regional support networks that includes a tracking method which allows the department and regional support networks to identify mental health clients' participation in any mental health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and in RCW 71.05.390, 71.05.420, and 71.05.440;

(h) License service providers who meet state minimum standards;

(i) Certify regional support networks that meet state minimum standards;

(j) Periodically monitor the compliance of certified regional support networks and their network of licensed service providers for compliance with the contract between the department, the regional support network, and federal and state rules at reasonable times and in a reasonable manner;

(k) Fix fees to be paid by evaluation and treatment centers to the secretary for the required inspections;

(l) Monitor and audit regional support networks and licensed service providers as needed to assure compliance with contractual agreements authorized by this chapter;

(m) Adopt such rules as are necessary to implement the department's responsibilities under this chapter;

(n) Assure the availability of an appropriate amount, as determined by the legislature in the operating budget by amounts appropriated for this specific purpose, of community-based, geographically distributed residential services;

(o) Certify crisis stabilization units that meet state minimum standards; and

(p) Certify clubhouses that meet state minimum standards.

(6) The secretary shall use available resources only for regional support networks, except to the extent authorized, and in accordance with any priorities or conditions specified, in the biennial appropriations act.

(7) Each certified regional support network and licensed service provider shall file with the secretary, on request, such data, statistics, schedules, and information as the secretary reasonably requires. A certified regional support network or licensed service provider which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may have its certification or license revoked or suspended.

(8) The secretary may suspend, revoke, limit, or restrict a certification or license, or refuse to grant a certification or license for failure to conform to: (a) The law; (b) applicable rules and regulations; (c) applicable standards; or (d) state minimum standards.

(9) The superior court may restrain any regional support network or service provider from operating without certification or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.

(10) Upon petition by the secretary, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary authorizing him or her to enter at reasonable times, and examine the records, books, and accounts of any regional support network or service provider refusing to consent to inspection or examination by the authority.

(11) Notwithstanding the existence or pursuit of any other remedy, the secretary may file an action for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a regional support network or service provider without certification or a license under this chapter.

(12) The standards for certification of evaluation and treatment facilities shall include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapters 71.05 and 71.34 RCW, and shall otherwise assure the effectuation of the purposes of these chapters.

(13) The standards for certification of crisis stabilization units shall include standards that:

(a) Permit location of the units at a jail facility if the unit is physically separate from the general population of the jail;

(b) Require administration of the unit by mental health professionals who direct the stabilization and rehabilitation efforts; and

(c) Provide an environment affording security appropriate with the alleged criminal behavior and necessary to protect the public safety.

(14) The standards for certification of a clubhouse shall at a minimum include:

(a) The facilities may be peer-operated and must be recovery-focused;

(b) Members and employees must work together;

(c) Members must have the opportunity to participate in all the work of the clubhouse, including administration, research, intake and orientation, outreach, hiring, training and evaluation of staff, public relations, advocacy, and evaluation of clubhouse effectiveness;

(d) Members and staff and ultimately the clubhouse director must be responsible for the operation of the clubhouse, central to this responsibility is the engagement of members and staff in all aspects of clubhouse operations;

(e) Clubhouse programs must be comprised of structured activities including but not limited to social skills training, vocational rehabilitation, employment training and job placement, and community resource development;

(f) Clubhouse programs must provide in-house educational programs that significantly utilize the teaching and tutoring skills of members and assist members by helping them to take advantage of adult education opportunities in the community;

(g) Clubhouse programs must focus on strengths, talents, and abilities of its members;

(h) The work-ordered day may not include medication clinics, day treatment, or other therapy programs within the clubhouse.

(15) The department shall distribute appropriated state and federal funds in accordance with any priorities, terms, or conditions specified in the appropriations act.

(16) The secretary shall assume all duties assigned to the nonparticipating regional support networks under chapters 71.05, 71.34, and 71.24 RCW. Such responsibilities shall include those which would have been assigned to the nonparticipating counties in regions where there are not participating regional support networks.

The regional support networks, or the secretary's assumption of all responsibilities under chapters 71.05, 71.34, and 71.24 RCW, shall be included in all state and federal plans affecting the state mental health program including at least those required by this chapter, the medicaid program, and P.L. 99-660. Nothing in these plans shall be inconsistent with the intent and requirements of this chapter.

(17) The secretary shall:

(a) Disburse funds for the regional support networks within sixty days of approval of the biennial contract. The department must either approve or reject the biennial contract within sixty days of receipt.

(b) Enter into biennial contracts with regional support networks. The contracts shall be consistent with available resources. No contract shall be approved that does not include progress toward meeting the goals of this chapter by taking responsibility for: (i) Short-term commitments; (ii) residential care; and (iii) emergency response systems.

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(c) Notify regional support networks of their allocation of available resources at least sixty days prior to the start of a new biennial contract period.

(d) Deny all or part of the funding allocations to regional support networks based solely upon formal findings of noncompliance with the terms of the regional support network's contract with the department. Regional support networks disputing the decision of the secretary to withhold funding allocations are limited to the remedies provided in the department's contracts with the regional support networks.

(18) The department, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicaid reimbursement for services provided by free-standing evaluation and treatment facilities certified under chapter 71.05 RCW. The department shall periodically report its efforts to the appropriate committees of the senate and the house of representatives.

**Sec. 6.** RCW 74.13.031 and 2007 c 413 s 10 are each amended to read as follows:

The department shall have the duty to provide child welfare services and shall:

(1) Develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and annually report to the governor and the legislature concerning the department's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) Investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency(~~(- PROVIDED, That)~~). An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) Offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5) (~~Monitor out-of-home placements, on a timely and routine basis, to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010, and annually submit a report measuring the extent to which the department achieved the specified goals to the governor and the legislature~~) Monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. The policy for monitoring placements under this section shall require that children in out-of-home care and in-home dependencies and their caregivers receive a private and individual face-to-face visit each month.

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(a) The department shall conduct the monthly visits with children and caregivers required under this section unless the child's placement is being supervised under a contract between the department and a private agency accredited by a national child welfare accrediting entity, in which case the private agency shall, within existing resources, conduct the monthly visits with the child and with the child's caregiver according to the standards described in this subsection and shall provide the department with a written report of the visits within fifteen days of completing the visits.

(b) In cases where the monthly visits required under this subsection are being conducted by a private agency, the department shall conduct a face-to-face health and safety visit with the child at least once every ninety days.

(6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) Have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) Have authority to purchase care for children; and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.

(9) Establish a children's services advisory committee which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10)(a) Have authority to provide continued foster care or group care as needed to participate in or complete a high school or vocational school program.

(b)(i) Beginning in 2006, the department has the authority to allow up to fifty youth reaching age eighteen to continue in foster care or group care as needed to participate in or complete a posthigh school academic or vocational program, and to receive necessary support and transition services.

(ii) In 2007 and 2008, the department has the authority to allow up to fifty additional youth per year reaching age eighteen to remain in foster care or group care as provided in (b)(i) of this subsection.

(iii) A youth who remains eligible for such placement and services pursuant to department rules may continue in foster care or group care until the youth reaches his or her twenty-first birthday. Eligibility requirements shall include active enrollment in a posthigh school academic or vocational program and maintenance of a 2.0 grade point average.

(11) Refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(12) Have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed

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child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department of social and health services under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(13) Within amounts appropriated for this specific purpose, provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(14) Have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(15) Consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department is performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

**NEW SECTION. Sec. 7.** A new section is added to chapter 74.13 RCW to read as follows:

(1) For the purpose of assisting foster youth in obtaining a Washington state identicard, submission of the information and materials listed in this subsection from the department to the department of licensing is sufficient proof of identity and residency and shall serve as the necessary authorization for the youth to apply for and obtain a Washington state identicard:

(a) A written signed statement prepared on department letterhead, verifying the following:

(i) The youth is a minor who resides in Washington;

(ii) Pursuant to a court order, the youth is dependent and the department or other supervising agency is the legal custodian of the youth under chapter 13.34 RCW or under the interstate compact on the placement of children;

(iii) The youth's full name and date of birth;

(iv) The youth's social security number, if available;

(v) A brief physical description of the youth;

(vi) The appropriate address to be listed on the youth's identicard; and

(vii) Contact information for the appropriate person at the department.

(b) A photograph of the youth, which may be digitized and integrated into the statement.

(2) The department may provide the statement and the photograph via any of the following methods, whichever is most efficient or convenient:

(a) Delivered via first-class mail or electronically to the headquarters office of the department of licensing; or

(b) Hand-delivered to a local office of the department of licensing by a department case worker.

(3) A copy of the statement shall be provided to the youth who shall provide the copy to the department of licensing when making an in-person application for a Washington state identicard.

(4) To the extent other identifying information is readily available, the department shall include the additional information with the submission of information required under subsection (1) of this section.

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**Sec. 8.** RCW 46.20.035 and 2004 c 249 s 2 are each amended to read as follows:

The department may not issue an identicard or a Washington state driver's license that is valid for identification purposes unless the applicant meets the identification requirements of subsection (1), (2), or (3) of this section.

(1) A driver's license or identicard applicant must provide the department with at least one of the following pieces of valid identifying documentation that contains the signature and a photograph of the applicant:

(a) A valid or recently expired driver's license or instruction permit that includes the date of birth of the applicant;

(b) A Washington state identicard or an identification card issued by another state;

(c) An identification card issued by the United States, a state, or an agency of either the United States or a state, of a kind commonly used to identify the members or employees of the government agency;

(d) A military identification card;

(e) A United States passport; or

(f) An Immigration and Naturalization Service form.

(2) An applicant who is a minor may establish identity by providing an affidavit of the applicant's parent or guardian. The parent or guardian must accompany the minor and display or provide:

(a) At least one piece of documentation in subsection (1) of this section establishing the identity of the parent or guardian; and

(b) Additional documentation establishing the relationship between the parent or guardian and the applicant.

(3) A person unable to provide identifying documentation as specified in subsection (1) or (2) of this section may request that the department review other available documentation in order to ascertain identity. The department may waive the requirement if it finds that other documentation clearly establishes the identity of the applicant. Notwithstanding the requirements in subsection (2) of this section, the department shall issue an identicard to an applicant for whom it receives documentation pursuant to section 7 of this act.

(4) An identicard or a driver's license that includes a photograph that has been renewed by mail or by electronic commerce is valid for identification purposes if the applicant met the identification requirements of subsection (1), (2), or (3) of this section at the time of previous issuance.

(5) The form of an applicant's name, as established under this section, is the person's name of record for the purposes of this chapter.

(6) If the applicant is unable to prove his or her identity under this section, the department shall plainly label the license "not valid for identification purposes."

**Sec. 9.** RCW 41.06.142 and 2002 c 354 s 208 are each amended to read as follows:

(1) Any department, agency, or institution of higher education may purchase services, including services that have been customarily and historically provided by employees in the classified service under this chapter, by contracting with individuals, nonprofit organizations, businesses, employee business units, or other entities if the following criteria are met:

(a) The invitation for bid or request for proposal contains measurable standards for the performance of the contract;

(b) Employees in the classified service whose positions or work would be displaced by the contract are provided an opportunity to offer alternatives to purchasing services by contract and, if these alternatives are not accepted, compete for the contract under competitive contracting procedures in subsection (4) of this section;

(c) The contract with an entity other than an employee business unit includes a provision requiring the entity to consider employment of state employees who may be displaced by the contract;

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(d) The department, agency, or institution of higher education has established a contract monitoring process to measure contract performance, costs, service delivery quality, and other contract standards, and to cancel contracts that do not meet those standards; and

(e) The department, agency, or institution of higher education has determined that the contract results in savings or efficiency improvements. The contracting agency must consider the consequences and potential mitigation of improper or failed performance by the contractor.

(2) Any provision contrary to or in conflict with this section in any collective bargaining agreement in effect on July 1, 2005, is not effective beyond the expiration date of the agreement.

(3) Contracting for services that is expressly mandated by the legislature or was authorized by law prior to July 1, 2005, including contracts and agreements between public entities, shall not be subject to the processes set forth in subsections (1) ~~(and)~~, (4) ~~(through (6))~~, and (5) of this section.

(4) Competitive contracting shall be implemented as follows:

(a) At least ninety days prior to the date the contracting agency requests bids from private entities for a contract for services provided by classified employees, the contracting agency shall notify the classified employees whose positions or work would be displaced by the contract. The employees shall have sixty days from the date of notification to offer alternatives to purchasing services by contract, and the agency shall consider the alternatives before requesting bids.

(b) If the employees decide to compete for the contract, they shall notify the contracting agency of their decision. Employees must form one or more employee business units for the purpose of submitting a bid or bids to perform the services.

(c) The director of personnel, with the advice and assistance of the department of general administration, shall develop and make available to employee business units training in the bidding process and general bid preparation.

(d) The director of general administration, with the advice and assistance of the department of personnel, shall, by rule, establish procedures to ensure that bids are submitted and evaluated in a fair and objective manner and that there exists a competitive market for the service. Such rules shall include, but not be limited to: (i) Prohibitions against participation in the bid evaluation process by employees who prepared the business unit's bid or who perform any of the services to be contracted; (ii) provisions to ensure no bidder receives an advantage over other bidders and that bid requirements are applied equitably to all parties; and (iii) procedures that require the contracting agency to receive complaints regarding the bidding process and to consider them before awarding the contract. Appeal of an agency's actions under this subsection is an adjudicative proceeding and subject to the applicable provisions of chapter 34.05 RCW, the administrative procedure act, with the final decision to be rendered by an administrative law judge assigned under chapter 34.12 RCW.

(e) An employee business unit's bid must include the fully allocated costs of the service, including the cost of the employees' salaries and benefits, space, equipment, materials, and other costs necessary to perform the function. An employee business unit's cost shall not include the state's indirect overhead costs unless those costs can be attributed directly to the function in question and would not exist if that function were not performed in state service.

(f) A department, agency, or institution of higher education may contract with the department of general administration to conduct the bidding process.

(5) As used in this section:

(a) "Employee business unit" means a group of employees who perform services to be contracted under this section and who submit a bid for the performance of those services under subsection (4) of this section.

(b) "Indirect overhead costs" means the pro rata share of existing agency administrative salaries and benefits, and rent, equipment costs, utilities, and materials associated with those administrative functions.

(c) "Competitive contracting" means the process by which classified employees of a department, agency, or institution of higher education compete with businesses, individuals, nonprofit organizations, or other entities for contracts authorized by subsection (1) of this section.

~~(6) ((The joint legislative audit and review committee shall conduct a performance audit of the implementation of this section, including the adequacy of the appeals process in subsection (4)(d) of this section, and report to the legislature by January 1, 2007, on the results of the audit.)) The requirements of this section do not apply to RCW 74.13.031(5).~~

**NEW SECTION. Sec. 10.** A new section is added to chapter 74.15 RCW to read as follows:

To be eligible for placement in a HOPE center, a minor must be either a street youth, as that term is defined in this chapter, or a youth who, without placement in a HOPE center, will continue to participate in increasingly risky behavior. Youth may also self-refer to a HOPE center. Payment for a HOPE center bed is not contingent upon prior approval by the department.

**Sec. 11.** RCW 74.15.240 and 1999 c 267 s 14 are each amended to read as follows:

To be eligible for placement in a responsible living skills program, the minor must be dependent under chapter 13.34 RCW and must have lived in a HOPE center or in a secure crisis residential center. However, if the minor's caseworker determines that placement in a responsible living skills program would be the most appropriate placement given the minor's current circumstances, prior residence in a HOPE center or secure crisis residential center before placement in a responsible living program is not required. Responsible living skills centers are intended as a placement alternative for dependent youth that the department chooses for the youth because no other services or alternative placements have been successful. Responsible living skills centers are not for dependent youth whose permanency plan includes return to home or family reunification.

**NEW SECTION. Sec. 12.** (1) The department of social and health services, in collaboration with the administrative office of the courts, shall implement a pilot program in the Thurston, Spokane, King, and Benton-Franklin counties as follows:

(a) A child who is age twelve years or older and who is the subject of a dependency proceeding under chapter 13.34 RCW shall have the following rights with respect to all hearings conducted in the pilot county on his or her behalf:

(i) The right to receive notice of the proceedings and hearings;

(ii) The right to be present at hearings; and

(iii) The right to be heard personally.

(b) At the request of the child, the child's guardian ad litem or attorney, or upon the court's own motion, the court may conduct an interview with the child in chambers to determine the child's wishes regarding the issues pending before the court. The court may permit counsel to be present at the interview. The court shall cause a record of the interview to be made and to be made part of the record in the case.

(c) A child's right to attend a hearing conducted on his or her behalf and to be heard by the court cannot be denied or limited by the court, unless the court makes a specific written finding that such denial or limitation is in the best interests of the child and necessary for the health, safety, and welfare of the child.

(d) Prior to each hearing, the child's guardian ad litem or attorney shall determine if the child wishes to be present and to be heard at the hearing. If the child wishes to attend the hearing, the guardian ad litem or attorney shall coordinate with the child's caregiver and the department or supervising agency to make arrangements for the child to attend the hearing. Nothing

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in this subsection shall be construed to create a duty on the department or supervising agency to transport the child.

(2) The pilot shall operate until June 30, 2010. The department of social and health services and the administrative office of the courts shall brief the legislature regarding the pilot by January 31, 2009, and shall provide a final report regarding the effectiveness of the program by December 1, 2010. To the extent funding is available, the department and the administrative office of the courts shall collaborate with other appropriate entities to compile pertinent information regarding the pilot program, including the comments of youth, court personnel, attorneys, and guardians ad litem in the pilot courts.

**Sec. 13.** RCW 13.34.105 and 2000 c 124 s 4 are each amended to read as follows:

(1) Unless otherwise directed by the court, the duties of the guardian ad litem for a child subject to a proceeding under this chapter, including an attorney specifically appointed by the court to serve as a guardian ad litem, include but are not limited to the following:

(a) To investigate, collect relevant information about the child's situation, and report to the court factual information regarding the best interests of the child;

(b) To meet with, interview, or observe the child, depending on the child's age and developmental status, and report to the court any views or positions expressed by the child on issues pending before the court;

(c) To monitor all court orders for compliance and to bring to the court's attention any change in circumstances that may require a modification of the court's order;

~~((+))~~ (d) To report to the court information on the legal status of a child's membership in any Indian tribe or band;

~~((+))~~ (e) Court-appointed special advocates and guardians ad litem may make recommendations based upon an independent investigation regarding the best interests of the child, which the court may consider and weigh in conjunction with the recommendations of all of the parties; and

~~((+))~~ (f) To represent and be an advocate for the best interests of the child.

(2) A guardian ad litem shall be deemed an officer of the court for the purpose of immunity from civil liability.

(3) Except for information or records specified in RCW 13.50.100~~((5))~~ (7), the guardian ad litem shall have access to all information available to the state or agency on the case. Upon presentation of the order of appointment by the guardian ad litem, any agency, hospital, school organization, division or department of the state, doctor, nurse, or other health care provider, psychologist, psychiatrist, police department, or mental health clinic shall permit the guardian ad litem to inspect and copy any records relating to the child or children involved in the case, without the consent of the parent or guardian of the child, or of the child if the child is under the age of thirteen years, unless such access is otherwise specifically prohibited by law.

(4) A guardian ad litem may release confidential information, records, and reports to the office of the family and children's ombudsman for the purposes of carrying out its duties under chapter 43.06A RCW.

(5) The guardian ad litem shall release case information in accordance with the provisions of RCW 13.50.100.

**NEW SECTION. Sec. 14.** Section 6 of this act takes effect December 31, 2008.

**NEW SECTION. Sec. 15.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2008, in the omnibus appropriations act, this act is null and void."

Correct the title.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Hargrove moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6792.

Senator Hargrove spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Hargrove that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6792.

The motion by Senator Hargrove carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6792 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6792, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6792, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

ENGROSSED SUBSTITUTE SENATE BILL NO. 6792, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Eide, the Rules Committee was relieved of further consideration of House Bill No. 2652 and the bill was placed on the second reading calendar.

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2652, by Representatives Morrell, Fromhold, Moeller, McIntire, Simpson and Kenney

Transferring the dependent care assistance program to the health care authority by coordinating benefit plans that allow state and public employees to pay on a pretax basis.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 2652 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senators Keiser and Pflug spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2652.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2652 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

HOUSE BILL NO. 2652, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced a delegation from the Port of Yantai in China, The Sister Port of the Port of Bremerton.

#### PERSONAL PRIVILEGE

Senator Brown: "Thank you Mr. President. Over the next few hopefully few hours as we make our way towards Sine Die, I would like to let everybody know that there are refreshments in my office. Members and staff, if you find yourself in that corner of the building please feel free to wander in for some refreshments. Senator Delvin of course and you, yourself, Mr. President."

#### MOTION

On motion of Senator Eide, the Senate reverted to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House receded from its amendment, under suspension of rules ENGROSSED SUBSTITUTE SENATE BILL NO. 5959 was returned to second reading for the purpose of an amendment. The House adopted the following amendment: 5959-S.E AMH MILO DUPU 060, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The transitional housing operating and rent program is created in the department to assist individuals and families who are homeless or who are at risk of becoming homeless to secure and retain safe, decent, and affordable housing. The department shall provide grants to eligible organizations, as described in RCW 43.185.060, to provide assistance to program participants. The eligible organizations must use grant moneys for:

(a) Rental assistance, which includes security or utility deposits, first and last month's rent assistance, and eligible moving expenses to be determined by the department;

- (b) Case management services designed to assist program participants to secure and retain immediate housing and to transition into permanent housing and greater levels of self-sufficiency;

(c) Operating expenses of transitional housing facilities that serve homeless families with children; and

(d) Administrative costs of the eligible organization, which must not exceed limits prescribed by the department.

(2) Eligible to receive assistance through the transitional housing operating and rent program are:

(a) Families with children who are homeless or who are at risk of becoming homeless and who have household incomes at or below fifty percent of the median household income for their county;

(b) Families with children who are homeless or who are at risk of becoming homeless and who are receiving services under chapter 13.34 RCW;

(c) Individuals or families without children who are homeless or at risk of becoming homeless and who have household incomes at or below thirty percent of the median household income for their county;

(d) Individuals or families who are homeless or who are at risk of becoming homeless and who have a household with an adult member who has a mental health or chemical dependency disorder; and

(e) Individuals or families who are homeless or who are at risk of becoming homeless and who have a household with an adult member who is an offender released from confinement within the past eighteen months.

- (3) All program participants must be willing to create and actively participate in a housing stability plan for achieving permanent housing and greater levels of self-sufficiency.

(4) Data on all program participants must be entered into and tracked through the Washington homeless client management information system as described in RCW 43.185C.180. For eligible organizations serving victims of domestic violence or sexual assault, compliance with this subsection must be accomplished in accordance with 42 U.S.C. Sec. 11383 (a)(8).

- (5) Beginning in 2011, each eligible organization receiving over five hundred thousand dollars during the previous calendar year from the transitional housing operating and rent program and from sources including: (a) State housing-related funding sources; (b) the affordable housing for all surcharge in RCW 36.22.178; (c) the home security fund surcharges in RCW 36.22.179 and 36.22.1791; and (d) any other surcharge imposed under chapter 36.22 or 43.185C RCW to fund homelessness programs or other housing programs, shall apply to the Washington state quality award program for an independent assessment of its quality management, accountability, and performance system, once every three years.

(6) The department may develop rules, requirements, procedures, and guidelines as necessary to implement and operate the transitional housing operating and rent program.

(7) The department shall produce an annual transitional housing operating and rent program report that must be included in the department's homeless housing strategic plan as described in 43.185C.040. The report must include performance measures to be determined by the department that address, at a minimum, the following issue areas:

- (a) The success of the program in helping program participants transition into permanent affordable housing and achieve self-sufficiency or increase their levels of self-sufficiency, which shall be defined by the department based upon the costs of living, including housing costs, needed to support: (1) One adult individual; and (2) two adult individuals and one preschool-aged child and one school aged child.

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(b) The financial performance of the program related to efficient program administration by the department and program operation by selected eligible organizations, including an analysis of the costs per program participant served;

(c) The quality, completeness, and timeliness of the information on program participants provided to the Washington homeless client management information system database; and

(d) The satisfaction of program participants in the assistance provided through the program.

NEW SECTION. **Sec. 2.** The transitional housing operating and rent account is created in the custody of the state treasurer. All receipts from sources directed to the transitional housing operating and rent program must be deposited into the account. Expenditures from the account may be used solely for the purpose of the transitional housing operating and rent program as described in section 1 of this act. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. **Sec. 3.** RCW 59.18.600 (Rental to offenders--Limitation on liability) and 2007 c 483 s 602 are each repealed."

Correct the title.  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Hargrove moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5959.

Senator Hargrove spoke in favor of the motion.

MOTION

On motion of Senator Regala, Senator Kohl-Welles was excused.

The President declared the question before the Senate to be the motion by Senator Hargrove that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5959.

The motion by Senator Hargrove carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5959 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5959, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5959, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

ENGROSSED SUBSTITUTE SENATE BILL NO. 5959, as amended by the House, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that Gubernatorial Appointment No. 9337, Bob Nichols, as a member of the Salmon Recovery Funding Board, be confirmed.

Senator Fraser spoke in favor of the motion.

APPOINTMENT OF BOB NICHOLS

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9337, Bob Nichols as a member of the Salmon Recovery Funding Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9337, Bob Nichols as a member of the Salmon Recovery Funding Board and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 3; Excused, 0.

Voting yea: Senators Benton, Berkey, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 46

Absent: Senators Brandland, Jacobsen and McAuliffe - 3

Gubernatorial Appointment No. 9337, Bob Nichols, having received the constitutional majority was declared confirmed as a member of the Salmon Recovery Funding Board.

MOTION

On motion of Senator Delvin, Senator Brandland was excused.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hatfield moved that Gubernatorial Appointment No. 9288, Rebecca Chaffee, as a member of the Board of Trustees, Grays Harbor Community College District 2, be confirmed.

Senator Hatfield spoke in favor of the motion.

MOTION

On motion of Senator Regala, Senators Jacobsen and Kohl-Welles were excused.

APPOINTMENT OF REBECCA CHAFFEE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9288,

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Rebecca Chaffee as a member of the Board of Trustees, Grays Harbor Community College District 2.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9288, Rebecca Chaffee as a member of the Board of Trustees, Grays Harbor Community College District 2 and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 46

Absent: Senator Hargrove - 1

Excused: Senators Jacobsen and Kohl-Welles - 2

Gubernatorial Appointment No. 9288, Rebecca Chaffee, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Grays Harbor Community College District 2.

#### SECOND READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Kline moved that Gubernatorial Appointment No. 9374, Susan Wilder Crane, as a member of the Washington State Apprenticeship and Training Council, be confirmed.

Senator Kline spoke in favor of the motion.

#### APPOINTMENT OF SUSAN WILDER CRANE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9374, Susan Wilder Crane as a member of the Washington State Apprenticeship and Training Council.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9374, Susan Wilder Crane as a member of the Washington State Apprenticeship and Training Council and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Absent: Senator Pridemore - 1

Gubernatorial Appointment No. 9374, Susan Wilder Crane, having received the constitutional majority was declared confirmed as a member of the Washington State Apprenticeship and Training Council.

#### SECOND READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

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Senator Tom moved that Gubernatorial Appointment No. 9340, Vicki Orrico, as a member of the Board of Trustees, Bellevue Community College District No. 8, be confirmed.

Senator Tom spoke in favor of the motion.

#### APPOINTMENT OF VICKI ORRICO

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9340, Vicki Orrico as a member of the Board of Trustees, Bellevue Community College District No. 8.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9340, Vicki Orrico as a member of the Board of Trustees, Bellevue Community College District No. 8 and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Absent: Senator Pridemore - 1

Gubernatorial Appointment No. 9340, Vicki Orrico, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Bellevue Community College District No. 8.

#### SECOND READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Marr moved that Gubernatorial Appointment No. 9345, Raymond C. Rieckers, as a member of the Housing Finance Commission, be confirmed.

Senator Marr spoke in favor of the motion.

#### MOTION

On motion of Senator Regala, Senator Pridemore was excused.

#### APPOINTMENT OF RAYMOND C. RIECKERS

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9345, Raymond C. Rieckers as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9345, Raymond C. Rieckers as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon,



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Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

Gubernatorial Appointment No. 9345, Raymond C. Rieckers, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Regala moved that Gubernatorial Appointment No. 9355, Carol Sexton, as a member of the Small Business Export Finance Assistance Center Board of Directors, be confirmed.

Senator Regala spoke in favor of the motion.

APPOINTMENT OF CAROL SEXTON

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9355, Carol Sexton as a member of the Small Business Export Finance Assistance Center Board of Directors.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9355, Carol Sexton as a member of the Small Business Export Finance Assistance Center Board of Directors and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

Gubernatorial Appointment No. 9355, Carol Sexton, having received the constitutional majority was declared confirmed as a member of the Small Business Export Finance Assistance Center Board of Directors.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Shin moved that Gubernatorial Appointment No. 9367, Emily Yim, as a member of the Board of Trustees, Edmonds Community College District No. 23, be confirmed.

Senator Shin spoke in favor of the motion.

APPOINTMENT OF EMILY YIM

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9367, Emily Yim as a member of the Board of Trustees, Edmonds Community College District No. 23.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9367, Emily Yim as a member of the Board of Trustees, Edmonds Community College District No. 23 and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown,

Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Absent: Senator Keiser - 1

Gubernatorial Appointment No. 9367, Emily Yim, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Edmonds Community College District No. 23.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pridemore moved that Gubernatorial Appointment No. 9299, Annabelle Fitts, as a member of the Board of Trustees, State School for the Blind, be confirmed.

Senator Pridemore spoke in favor of the motion.

MOTION

On motion of Senator Hatfield, Senator Prentice was excused.

APPOINTMENT OF ANNABELLE FITTS

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9299, Annabelle Fitts as a member of the Board of Trustees, State School for the Blind.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9299, Annabelle Fitts as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Prentice - 1

Gubernatorial Appointment No. 9299, Annabelle Fitts, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, State School for the Blind.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hargrove moved that Gubernatorial Appointment No. 9239, Stephen Tharinger, as a member of the Salmon Recovery Funding Board, be confirmed.

Senator Hargrove spoke in favor of the motion.

APPOINTMENT OF STEPHEN THARINGER

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9239, Stephen Tharinger as a member of the Salmon Recovery Funding Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9239, Stephen Tharinger as a member of the Salmon Recovery Funding Board and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 3; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 45

Absent: Senators Keiser, McCaslin and Pridemore - 3

Excused: Senator Prentice - 1

Gubernatorial Appointment No. 9239, Stephen Tharinger, having received the constitutional majority was declared confirmed as a member of the Salmon Recovery Funding Board.

MOTION

At 5:03 p.m., on motion of Senator Marr, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 6:24 p.m. by President Owen.

MOTION

On motion of Senator Eide, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House concurred in Senate amendment to the following bills and passed the bills as amended by the Senate:

SUBSTITUTE HOUSE BILL NO. 2279,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:

- SECOND SUBSTITUTE SENATE BILL NO. 5596,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5831,
- SECOND SUBSTITUTE SENATE BILL NO. 6227,
- SUBSTITUTE SENATE BILL NO. 6231,
- SUBSTITUTE SENATE BILL NO. 6277,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6295,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6371,
- SUBSTITUTE SENATE BILL NO. 6404,

- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6438,
  - SENATE BILL NO. 6657,
  - ENGROSSED SUBSTITUTE SENATE BILL NO. 6665,
  - ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6673,
  - ENGROSSED SUBSTITUTE SENATE BILL NO. 6760,
  - ENGROSSED SUBSTITUTE SENATE BILL NO. 6776,
  - SUBSTITUTE SENATE BILL NO. 6806,
  - SUBSTITUTE SENATE BILL NO. 6851,
  - SECOND SUBSTITUTE SENATE BILL NO. 6855,
  - SECOND ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8407,
- and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:

- SECOND SUBSTITUTE HOUSE BILL NO. 1273,
  - HOUSE BILL NO. 2263,
  - SECOND SUBSTITUTE HOUSE BILL NO. 2507,
  - SUBSTITUTE HOUSE BILL NO. 2585,
  - SECOND SUBSTITUTE HOUSE BILL NO. 2598,
  - ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2624,
  - SECOND SUBSTITUTE HOUSE BILL NO. 2714,
  - HOUSE BILL NO. 2719,
  - HOUSE BILL NO. 2791,
  - SUBSTITUTE HOUSE BILL NO. 2788
  - SECOND SUBSTITUTE HOUSE BILL NO. 2822,
  - SUBSTITUTE HOUSE BILL NO. 2858,
  - ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3139,
  - ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3145
  - ENGROSSED SUBSTITUTE HOUSE BILL NO. 3303,
  - ENGROSSED SUBSTITUTE HOUSE BILL NO. 3329,
  - ENGROSSED HOUSE BILL NO. 3360,
  - HOUSE BILL NO. 3362,
  - SUBSTITUTE HOUSE BILL NO. 3374,
  - ENGROSSED HOUSE BILL NO. 3381,
  - ENGROSSED SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 4408,
- and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House has adopted the report of Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2765, and has passed the bill as recommended by the Conference Committee. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

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The House receded from its amendment, and under suspension of rules, SUBSTITUTE SENATE BILL NO. 6609 was returned to second reading for the purpose of an amendment. The House adopted the following amendment: 6609-S AMH SIMP MOET 199, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1** A new section is added to chapter 19.27 RCW to read as follows:

(1) The charge under this chapter for building permits for specialty agricultural structures constructed on a commercial agricultural operation may not exceed the sum total of seventy-five dollars plus the vehicle fuel costs for inspections of the structure. This subsection (1) applies only if: (a) The design for the structure has been approved by a state licensed and registered engineer, and certified to meet local conditions related to wind load, snow load, and other natural forces; and (b) the permit application is for a structure with two thousand five hundred square feet or less of floor area.

(2) Specialty agricultural structures are those that are designed and constructed to house farm equipment, hay, grain, poultry, livestock, or other horticultural products. Human habitation, public use, and employment where agricultural products are processed, treated, or packaged are not permitted uses of a specialty agricultural structure.

(3) For purposes of this section, "commercial agricultural operation" means an operation that generates an average of at least ten thousand dollars gross income per year from the sale of agricultural products.

**Sec. 2.** RCW 19.27.100 and 1975 1st ex.s. c 8 s 1 are each amended to read as follows:

Except as provided in section 1 of this act, nothing in this chapter shall prohibit a city, town, or county of the state from imposing fees different from those set forth in the state building code.

NEW SECTION. **Sec. 3.** (1)(a) A legislative task force on agricultural structure permits is established, with members as provided in this subsection.

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

(ii) The speaker of the house shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The governor shall appoint one member representing the state building code council.

(b) The task force shall choose its chair from among its legislative membership.

(c) The task force must have the following nonvoting ex officio members:

- (i) One member representing cities;
- (ii) One member representing counties; and
- (iii) Three members representing statewide agricultural organizations.

(2) The task force shall review the following issues:

(a) Permit costs for specialty agricultural structures in Washington and adjoining states and provinces; and

(b) Alternative fee structures and building code requirements for agricultural structures.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the house of representatives and the senate. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the appropriate committees of the house of representatives and the senate by January 1, 2009.

(7) This section expires April 1, 2009."

Correct the title.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Fairley moved that the Senate adhere to its position and ask the House to recede in the House amendment(s) to Substitute Senate Bill No. 6609.

Senators Fairley spoke in favor of the motion.

The President declared the question before the Senate to be motion by Senator Fairley that the Senate adhere to its position and recede in the House amendment(s) to Substitute Senate Bill No. 6609.

The motion by Senator Fairley carried and the Senate adhered on its position in the House amendment(s) to Substitute Senate Bill No. 6609 by voice vote.

SIGNED BY THE PRESIDENT

The President signed:

- SECOND SUBSTITUTE HOUSE BILL NO. 1273,
- HOUSE BILL NO. 2263,
- SECOND SUBSTITUTE HOUSE BILL NO. 2507,
- SUBSTITUTE HOUSE BILL NO. 2585,
- SECOND SUBSTITUTE HOUSE BILL NO. 2598,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2624,
- SECOND SUBSTITUTE HOUSE BILL NO. 2714,
- HOUSE BILL NO. 2719,
- SUBSTITUTE HOUSE BILL NO. 2788,
- HOUSE BILL NO. 2791,
- SECOND SUBSTITUTE HOUSE BILL NO. 2822,
- SUBSTITUTE HOUSE BILL NO. 2858,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3139,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3145,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 3303,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 3329,
- ENGROSSED HOUSE BILL NO. 3360,
- HOUSE BILL NO. 3362,
- SUBSTITUTE HOUSE BILL NO. 3374,
- ENGROSSED HOUSE BILL NO. 3381,
- ENGROSSED SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 4408,

PERSONAL PRIVILEGE

Senator Haugen: "Well, Mr. President, I would just like to tell people this summer there is going to be a very special event that a lot of you have participated in for a long time and you don't realize it and finally it's going to happen. Cama Beach opens June 21, will be the grand opening. This is an extraordinary new state park. It's the first one in twenty years. It's on Camano Island. It is unbelievable. You need to come and see it. It is an old resort that has been restored to the 1930's. It looks just like it did when your relatives may have visited that. I would hope you would take time to come and visit it. It's going to be a special day but it's a wonderful place to bring your friends. Again, that's June 21 on Camano Island and you will be getting an invitation from the state parks. Mark your calendars."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Thank you Mr. President. I know I have a reputation for very short remarks on the Senate floor but I am going to have to take a couple of minutes. I promise not to go over three though, if that is alright Mr. President?"

REMARKS BY THE PRESIDENT

President Owen: "You're the boss."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "I actually have a couple of questions for you Mr. President. I've noticed that when we were honoring Representative Sommers this morning you said that you would have I think four more years to serve in elected office before you would be able to be the longest serving, is it something like that...?"

REMARKS BY THE PRESIDENT

President Owen: "The President noted that when Senator, right now there's only one person serving longer than the President, serving at this time, and that is Representative Sommers. When she leaves, then I will be the longest serving at the time. When I, if in fact the voters are so kind to return me in the next election, at the end of that term I will tie her only."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "So, we can only hope."

REMARKS BY THE PRESIDENT

President Owen: "Well, thank you."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Mr. President, I've also heard and I would appreciate your confirming whether this is accurate or not, whether you are in deed the longest serving Lieutenant Governor in the United States?"

REMARKS BY THE PRESIDENT

President Owen: "At this time, I'm the longest sitting Lieutenant Governor, yes."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Sitting, not serving?"

REMARKS BY THE PRESIDENT

President Owen: "Serving at this time, not having served."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Longest standing Lieutenant Governor in the United States. So, very impressive, but I have another question Mr. President. I'm really not sure what I going to do about this but I understand that on April 2 there's going to be an event here in Olympia. I'm wondering if starting on April 3 and then during the 2009 Legislative Session we are going to

have to address you as 'Sir Brad Owen' instead of Mr. President or would it be, Sir, Mr. President?"

REMARKS BY THE PRESIDENT

President Owen: "Meaning my medal that I receive from the King of Spain? You will be able to address me as Don Brad."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Don!"

REMARKS BY THE PRESIDENT

President Owen: "That is the correct term, yes."

POINT OF ORDER

Senator Murray: "Thank you Mr. President. Can I read from the Constitution of the United States, Section 1, Article 9?"

REPLY BY THE PRESIDENT

President Owen: "No!"

POINT OF ORDER

Senator Murray: "Mr. President the constitution says....."

REPLY BY THE PRESIDENT

President Owen: "Its only for federal officials, Senator. We've have researched this Senator Murray. Senator Murray, go ahead."

POINT OF ORDER

Senator Murray: "Thank you Mr. President. Section 1, Article 9 says that 'no title nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the congress, except of any present, emolument, office, or title, of any kind whatever, from any king, prince or foreign state.' This isn't meant personally directed by you, although my Irish blood does react rather viscerally to royal titles but I would ask for a ruling as to whether you can accept the title."

REPLY BY THE PRESIDENT

President Owen: "That's a no brainer."

PERSONAL PRIVILEGE

Senator Eide: "Well, thank you Mr. President. Well I believe that it's entirely appropriate for you to accept this illustrious title that's going on before you. If the good gentleman here from the forty-third district would be reading the Washington State Constitution rather than United States Constitution he would know its absolutely appropriate for you to be knighted, your honor. I ask that you tell the good gentleman that he's out of order and he needs to return to his bottle of Irish whiskey."

PERSONAL PRIVILEGE

SIXTIETH DAY, MARCH 13, 2008

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Senator Marr: "Mr. President, well I have to say I'm somewhat jealous about your honor of knight but I've always wondered this. Do knights get knights of stature, perhaps yourself get a stool to get on the horse? I'm wondering in the event Mr. President if I would receive an honor like this in the future."

REPLY BY THE PRESIDENT

President Owen: "Keep it up, you won't!"

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Thank you Mr. President, I'm sure there are some people who are listening in on TVW..."

POINT OF ORDER

Senator Brandland: "I think that Senator Kohl-Welles has already spoken once on this issue."

POINT OF ORDER

Senator Rockefeller: "Thank you Mr. President. Under Senate Rule 32, I wonder whether your ruling is acceptable to the body and I ask, 'Shall the decision of the President stand as the judgement of the Senate?'"

REPLY BY THE PRESIDENT

President Owen: "For those of you that are not aware of what he's just done. Je's challenged the rule of the chair. Usually we use words like, foolishly challenged the rule of the chair."

PERSONAL PRIVILEGE

Senator McCaslin: "Thank you Mr. President, I just want to announce to the Republican Caucus we're now up to nineteen."

PERSONAL PRIVILEGE

Senator Eide: "Well, thank you Mr. President, I believe I should also recognize Antonio Sanchez for receiving an honor also. My illustrious side, should say neighbor, who now I might have to bow every time I see him. It's an honor and privilege to serve with both of you and congratulations."

PARLIAMENTARY INQUIRY

Senator Honeyford: "Well, my inquiry is this: If we have to call you Don Juan, what do we call Antonio?"

REPLY BY THE PRESIDENT

President Owen: "I didn't say Don Juan! Although Linda, oh, never mind."

PERSONAL PRIVILEGE

Senator McAuliffe: "I just would like to recognize your wife, Linda. Behind every man is a good woman."

REPLY BY THE PRESIDENT

President Owen: "And some of her excellent carrot cake is in my office right now in case your wondering. Let me introduce also my outstanding daughter-in-law, Carrie Owen, that is with me today."

POINT OF ORDER

Senator Sheldon: "Thank you Don. I was wondering if this honor is being bestowed on you, of course, by the 'royalty in Spain will remember to carry over than you might remember to introduce a diplomatic corp next time that you preside in the House of Representatives. Would that jog your memory next time?"

REMARKS BY THE PRESIDENT

President Owen: "I don't know, are you trying to insult me in front of all my friends here? What you are referring to as somebody forgot to introduce the diplomatic corp last time. I did recover, if you recall."

REMARKS BY THE PRESIDENT

President Owen: "By the way, my, Linda will legitimately be referred to as 'Dona.' She's insisted that I call her that of course. Well, thank you all very much for your comments and it's a great honor actually to be received, the highest honor, a non-Spanish citizen can receive from the King of Spain and so we're very honored with that and I appreciate you bringing that up Senator Kohl-Welles and you're all a lot of fun. I, by the way, I do appreciate being the straight man for all of you and can't say I could have better people feeding me lines than all of you."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "I will take all of this back if you have another ruling such as you did the other day, ruling on scope and object. I'm just kidding."

MOTION

At 6:41 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 7:31 p.m. by President Owen.

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:  
HOUSE BILL NO. 2652,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2765,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:

SIXTIETH DAY, MARCH 13, 2008  
SUBSTITUTE HOUSE BILL NO. 2279,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2687,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:  
HOUSE BILL NO. 2652,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2765,

SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE HOUSE BILL NO. 2279,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2687,

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:  
The House has adopted:  
HOUSE CONCURRENT RESOLUTION NO. 4409,  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4409 by Representatives Kessler and Ericksen

Returning bills to their house of origin.

MOTION

On motion of Senator Eide, the rules were suspended and House Concurrent Resolution No. 4409 was placed on the second reading calendar.

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4409, by Representatives Kessler and Ericksen

Returning bills to their house of origin.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, House Concurrent Resolution No. 4409 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4409. HOUSE CONCURRENT RESOLUTION NO. 4409 was adopted by voice vote.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8413, by Senators Brown and Hewitt

Adjourning sine die.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, Senate Concurrent Resolution No. 8413 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8413.

SENATE CONCURRENT RESOLUTION NO. 8413 was adopted by voice vote.

MOTION

On motion of Senator Eide, the Senate advanced to the eighth order of business.

MOTION

Senator Eide moved adoption of the following resolution:

SENATE RESOLUTION  
8743

By Senators Spanel and Parlette

WHEREAS, The 2008 Regular Session of the Sixtieth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the 2008 Regular Session of the Sixtieth Legislature and the convening of the next regular session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any contracts or subcontracts that necessitate the expenditure of Senate appropriations; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee may, as they deem appropriate, authorize out-of-state travel for which members and staff may receive therefor their actual necessary expenses, and such per diem as may be authorized by law, to be paid upon receipt of their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Senate Facilities and Operations Committee be, and they hereby are, authorized to retain such employees as they may deem necessary and that said employees be allowed such rate of pay therefor as the Secretary of the Senate and the Senate Facilities and Operations Committee shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he or she hereby is, authorized and directed to make out and execute the necessary vouchers upon which warrants for legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Facilities and Operations Committee be, and they

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hereby are, authorized to approve written requests by standing committees to meet during the interim period; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have printed a copy of the Senate Journals of the 2008 Regular Session of the Sixtieth Legislature; and

BE IT FURTHER RESOLVED, That the Rules Committee is authorized to assign subject matters to standing committees for study during the interim, and the Majority Leader is authorized to create special committees as may be necessary to carry out the functions of the Senate in an orderly manner and appoint members thereto with the approval of the Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers or memorials in the event of a bereavement in the legislative "family"; and

BE IT FURTHER RESOLVED, That such use of the Senate facilities is permitted upon such terms as the Secretary of the Senate shall deem proper.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8743.

The motion by Senator Eide carried and the resolution was adopted by voice vote.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5905,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5959,  
SUBSTITUTE SENATE BILL NO. 6426,  
SENATE BILL NO. 6638,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6792,

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5905,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5959,  
SUBSTITUTE SENATE BILL NO. 6426,  
SENATE BILL NO. 6638,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6792,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8413,  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 8413,

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:

SENATE CONCURRENT RESOLUTION NO. 8413,  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Eide and without Senate objections, measures on the second and third reading calendars were returned to the Committee on Rules.

March 13, 2008

Under the provisions of the HOUSE CONCURRENT RESOLUTION NO. 4409, the following House Bills were returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1032,  
ENGROSSED HOUSE BILL NO. 1057,  
HOUSE BILL NO. 1142,  
HOUSE BILL NO. 1143,  
SUBSTITUTE HOUSE BILL NO. 1148,  
HOUSE BILL NO. 1230  
SUBSTITUTE HOUSE BILL NO. 1295,  
HOUSE BILL NO. 1296,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1394,

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House has adopted the report of Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2687, and has passed the bill as recommended by the Conference Committee. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The House has adopted the report of Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3139, and has passed the bill as recommended by the Conference Committee. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

The Speaker has signed the following bills:  
HOUSE CONCURRENT RESOLUTION NO. 4409,  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 4409,

SIGNED BY THE PRESIDENT

The President signed:

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HOUSE BILL NO. 1404,  
 HOUSE BILL NO. 1545,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1597,  
 SUBSTITUTE HOUSE BILL NO. 1605,  
 SECOND ENGROSSED HOUSE BILL NO. 1743,  
 HOUSE BILL NO. 1836,  
 SUBSTITUTE HOUSE BILL NO. 1879,  
 ENGROSSED HOUSE BILL NO. 1887,  
 HOUSE BILL NO. 2026,  
 HOUSE BILL NO. 2048,  
 HOUSE BILL NO. 2090,  
 SUBSTITUTE HOUSE BILL NO. 2107,  
 HOUSE BILL NO. 2110,  
 HOUSE BILL NO. 2134,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2143,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2344,  
 HOUSE BILL NO. 2436,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2449,  
 HOUSE BILL NO. 2469,  
 HOUSE BILL NO. 2478,  
 HOUSE BILL NO. 2483,  
 SUBSTITUTE HOUSE BILL NO. 2487,  
 HOUSE BILL NO. 2492,  
 HOUSE BILL NO. 2495,  
 ENGROSSED HOUSE BILL NO. 2516,  
 SUBSTITUTE HOUSE BILL NO. 2522,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2523,  
 SUBSTITUTE HOUSE BILL NO. 2541,  
 SUBSTITUTE HOUSE BILL NO. 2554,  
 HOUSE BILL NO. 2558,  
 HOUSE BILL NO. 2571,  
 HOUSE BILL NO. 2593,  
 ENGROSSED HOUSE BILL NO. 2608,  
 SUBSTITUTE HOUSE BILL NO. 2609,  
 ENGROSSED HOUSE BILL NO. 2613,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2626,  
 HOUSE BILL NO. 2629,  
 HOUSE BILL NO. 2656,  
 SUBSTITUTE HOUSE BILL NO. 2676,  
 SUBSTITUTE HOUSE BILL NO. 2690,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2709,  
 HOUSE BILL NO. 2738,  
 HOUSE BILL NO. 2755,  
 SUBSTITUTE HOUSE BILL NO. 2756,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2758,  
 HOUSE BILL NO. 2780,  
 HOUSE BILL NO. 2799,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2807,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2809,  
 HOUSE BILL NO. 2813,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2829,  
 HOUSE BILL NO. 2834,  
 SUBSTITUTE HOUSE BILL NO. 2848,  
 HOUSE BILL NO. 2850,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2869,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2884,  
 SUBSTITUTE HOUSE BILL NO. 2899,  
 SUBSTITUTE HOUSE BILL NO. 2917,  
 HOUSE BILL NO. 2941,  
 ENGROSSED HOUSE BILL NO. 2985,  
 HOUSE BILL NO. 3005,  
 HOUSE BILL NO. 3007,  
 HOUSE BILL NO. 3020,  
 HOUSE BILL NO. 3106,  
 SECOND SUBSTITUTE HOUSE BILL NO. 3121,  
 HOUSE BILL NO. 3141,  
 HOUSE BILL NO. 3177,  
 HOUSE BILL NO. 3210,

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 3216,  
 SECOND SUBSTITUTE HOUSE BILL NO. 3227,  
 HOUSE BILL NO. 3281,  
 SUBSTITUTE HOUSE BILL NO. 3297,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 3306,

March 13, 2008

Under the provisions of the HOUSE CONCURRENT  
 RESOLUTION NO. 4409, the following House Bills were  
 returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1102,  
 HOUSE BILL NO. 1127,  
 ENGROSSED HOUSE BILL NO. 1129,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.  
 1139,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.  
 1147,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1211,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.  
 2016,  
 HOUSE BILL NO. 2017,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2082,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2216,  
 SUBSTITUTE HOUSE BILL NO. 2219,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331,  
 SECOND ENGROSSED HOUSE BILL NO. 2373,  
 SUBSTITUTE HOUSE BILL NO. 2380,  
 SUBSTITUTE HOUSE BILL NO. 2455,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2468,  
 SUBSTITUTE HOUSE BILL NO. 2471,  
 HOUSE BILL NO. 2527,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2592,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2597,  
 SUBSTITUTE HOUSE BILL NO. 2611,  
 SUBSTITUTE HOUSE BILL NO. 2675,  
 SUBSTITUTE HOUSE BILL NO. 2718,  
 SUBSTITUTE HOUSE BILL NO. 2775,  
 SUBSTITUTE HOUSE BILL NO. 2810,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2882,  
 HOUSE BILL NO. 2901,  
 HOUSE BILL NO. 3025,  
 HOUSE BILL NO. 3027,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3051,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 3115,  
 ENGROSSED HOUSE BILL NO. 3117,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 3125,  
 ENGROSSED HOUSE BILL NO. 3137,  
 HOUSE BILL NO. 3143,  
 HOUSE BILL NO. 3261,  
 SECOND SUBSTITUTE HOUSE BILL NO. 3269,  
 SUBSTITUTE HOUSE BILL NO. 3289,  
 SUBSTITUTE HOUSE BILL NO. 3291,

March 13, 2008

Under the provisions of the HOUSE CONCURRENT  
 RESOLUTION NO. 4409, the following House Bills were  
 returned to the House of Representatives:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1115,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1332,  
 HOUSE BILL NO. 1345,



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SUBSTITUTE HOUSE BILL NO. 1346,  
 HOUSE BILL NO. 1403,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1453,  
 SUBSTITUTE HOUSE BILL NO. 1534,  
 SUBSTITUTE HOUSE BILL NO. 1625,  
 SUBSTITUTE HOUSE BILL NO. 1675,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1727,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1734,  
 HOUSE BILL NO. 1775,  
 ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO.  
 1806,  
 ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO.  
 1873,  
 HOUSE BILL NO. 2203,  
 SUBSTITUTE HOUSE BILL NO. 2337,  
 SUBSTITUTE HOUSE BILL NO. 2439,  
 SUBSTITUTE HOUSE BILL NO. 2444,  
 SUBSTITUTE HOUSE BILL NO. 2452,  
 HOUSE BILL NO. 2470,  
 HOUSE BILL NO. 2473,  
 HOUSE BILL NO. 2485,  
 HOUSE BILL NO. 2489,  
 SUBSTITUTE HOUSE BILL NO. 2501,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2530,  
 HOUSE BILL NO. 2565,  
 SUBSTITUTE HOUSE BILL NO. 2567,  
 SUBSTITUTE HOUSE BILL NO. 2595,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2631,  
 HOUSE BILL NO. 2651,  
 HOUSE BILL NO. 2655,  
 SUBSTITUTE HOUSE BILL NO. 2670,  
 HOUSE BILL NO. 2728,  
 HOUSE BILL NO. 2740,  
 HOUSE BILL NO. 2761,  
 HOUSE BILL NO. 2764,  
 SUBSTITUTE HOUSE BILL NO. 2811,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2818,  
 SUBSTITUTE HOUSE BILL NO. 2836,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2864,  
 HOUSE BILL NO. 2894,  
 HOUSE BILL NO. 2909,  
 SUBSTITUTE HOUSE BILL NO. 2925,  
 SUBSTITUTE HOUSE BILL NO. 2986,  
 HOUSE BILL NO. 3006,  
 SUBSTITUTE HOUSE BILL NO. 3059,  
 SUBSTITUTE HOUSE BILL NO. 3069,  
 SUBSTITUTE HOUSE BILL NO. 3103,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.  
 3133,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3148,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3160,  
 HOUSE BILL NO. 3161,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 3180,  
 ENGROSSED HOUSE BILL NO. 3181,  
 SUBSTITUTE HOUSE BILL NO. 3183,  
 HOUSE BILL NO. 3220,  
 HOUSE BILL NO. 3249,  
 SUBSTITUTE HOUSE BILL NO. 3255,  
 ENGROSSED HOUSE BILL NO. 3276,  
 ENGROSSED HOUSE BILL NO. 3317,  
 SECOND SUBSTITUTE HOUSE BILL NO. 3349,  
 HOUSE JOINT MEMORIAL NO. 4029,  
 HOUSE JOINT MEMORIAL NO. 4030,  
 HOUSE JOINT MEMORIAL NO. 4031,  
 SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4034,

Under the provisions of the HOUSE CONCURRENT  
 RESOLUTION NO. 4409, the following House Bills were  
 returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1246,  
 ENGROSSED HOUSE BILL NO. 1383,  
 ENGROSSED HOUSE BILL NO. 1551,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1561,  
 HOUSE BILL NO. 1930,  
 ENGROSSED HOUSE BILL NO. 1956,  
 HOUSE BILL NO. 2170,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2191,  
 HOUSE BILL NO. 2210,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2225,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494,  
 HOUSE BILL NO. 2497,  
 ENGROSSED HOUSE BILL NO. 2518,  
 HOUSE BILL NO. 2550,  
 HOUSE BILL NO. 2606,  
 ENGROSSED HOUSE BILL NO. 2607,  
 HOUSE BILL NO. 2619,  
 HOUSE BILL NO. 2620,  
 SUBSTITUTE HOUSE BILL NO. 2621,  
 HOUSE BILL NO. 2636,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2703,  
 ENGROSSED HOUSE BILL NO. 2734,  
 HOUSE BILL NO. 2763,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2767,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2798,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2805,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2808,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2826,  
 SUBSTITUTE HOUSE BILL NO. 2838,  
 SUBSTITUTE HOUSE BILL NO. 2871,  
 SUBSTITUTE HOUSE BILL NO. 2904,  
 HOUSE BILL NO. 2920,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2938,  
 ENGROSSED HOUSE BILL NO. 3047,  
 SUBSTITUTE HOUSE BILL NO. 3053,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3131,  
 SUBSTITUTE HOUSE BILL NO. 3204,  
 ENGROSSED HOUSE BILL NO. 3230,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3259,

MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT  
 RESOLUTION NO. 4409, the following Senate bills were  
 returned to the Senate:

ENGROSSED SECOND SUBSTITUTE SENATE BILL  
 NO. 5106,  
 ENGROSSED SENATE BILL NO. 5208,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL  
 NO. 5271,  
 SUBSTITUTE SENATE BILL NO. 5285,  
 SUBSTITUTE SENATE BILL NO. 5318,  
 SENATE BILL NO. 5343,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5363,  
 SECOND SUBSTITUTE SENATE BILL NO. 5367,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5387,  
 SENATE BILL NO. 5432,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5456,  
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 ENGROSSED SUBSTITUTE SENATE BILL NO. 6800,  
 SENATE BILL NO. 6849,  
 SENATE BILL NO. 6891,  
 SUBSTITUTE SENATE BILL NO. 6898,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

## MESSAGE FROM THE HOUSE

March 13, 2008

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT  
 RESOLUTION NO. 4409, the following Senate bills were  
 returned to the Senate:

SENATE BILL NO. 5319,  
 ENGROSSED SENATE BILL NO. 5425,  
 ENGROSSED SENATE BILL NO. 5599,  
 SUBSTITUTE SENATE BILL NO. 5628,  
 THIRD SUBSTITUTE SENATE BILL NO. 5743,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5746,  
 SUBSTITUTE SENATE BILL NO. 5869,  
 SUBSTITUTE SENATE BILL NO. 5929,  
 SENATE BILL NO. 6193,

SUBSTITUTE SENATE BILL NO. 6241,  
 SUBSTITUTE SENATE BILL NO. 6307,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6308,  
 SUBSTITUTE SENATE BILL NO. 6316,  
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 SENATE BILL NO. 6728,  
 ENGROSSED SENATE BILL NO. 6744,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6771,  
 SECOND SUBSTITUTE SENATE BILL NO. 6775,  
 SUBSTITUTE SENATE BILL NO. 6777,  
 ENGROSSED SENATE BILL NO. 6868,  
 SENATE BILL NO. 6892,  
 SENATE BILL NO. 6912,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

## MOTION

On motion of Senator Eide, the Journal for the 60<sup>th</sup> day of  
 the 2008 session of the 60<sup>th</sup> Legislature was approved.

## MOTION

At 7:40 p.m., on motion of Senator Eide, the 2008 Senate  
 Regular Session of the Sixtieth Legislature adjourned SINE  
 DIE.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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